

Altawood Court

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Chapter 1 Introduction

This study is being undertaken at the request of the Louisville Metro Council (Resolution No. 53 Series 2006 approved by metro Council on April 27, 2006 and signed by the Mayor on may 5, 2006) which, noting the unique character of the Altawood Court area, requested that the Louisville Metro Planning Commission "...study whether an area-wide down zoning of the Altawood Court area is warranted...". The process involves a survey of the existing historic, environmental and administrative conditions in the area and projections of potential conditions that could or are likely to arise because of these conditions. This information will represent the physical properties that warrant a rezoning that must then be balanced against the desires of landowners in the area and the needs of the community at large as expressed through the Cornerstone 2020 Comprehensive Plan

The significance of the historic qualities of the area have been confirmed by a portion of the area being designated an National Historic District in 2001 and more

recently some interest in adding the area as a Local landmark District has also been expressed.

The R-4 zoning was applied to the rural areas of the county as a safe minimum "holding zone" when zoning was first applied to the county and not as a result of the analysis of this areas unique development pattern. Today we recognize and have changed this classification in areas of the county where environmental constraints will not support even the relatively low-density pattern allowed by this classification (R-R/DRO and R-4/DRO classifications in the Floyds Fork corridor) R-1 zoning in the Community Improvement District (CID) area (1964 rezoning) and attempted in the Jefferson County Forest area in 1992. The Wolf Pen Branch Road plan adopted planning guidelines that encourage new development respect the existing pattern of low-density development.

The Comprehensive Plan process that serves as a basis for zoning and zoning change (KRS 100.187), also requires that the Comprehensive Plan provide a guide for the physical development and economic and social well

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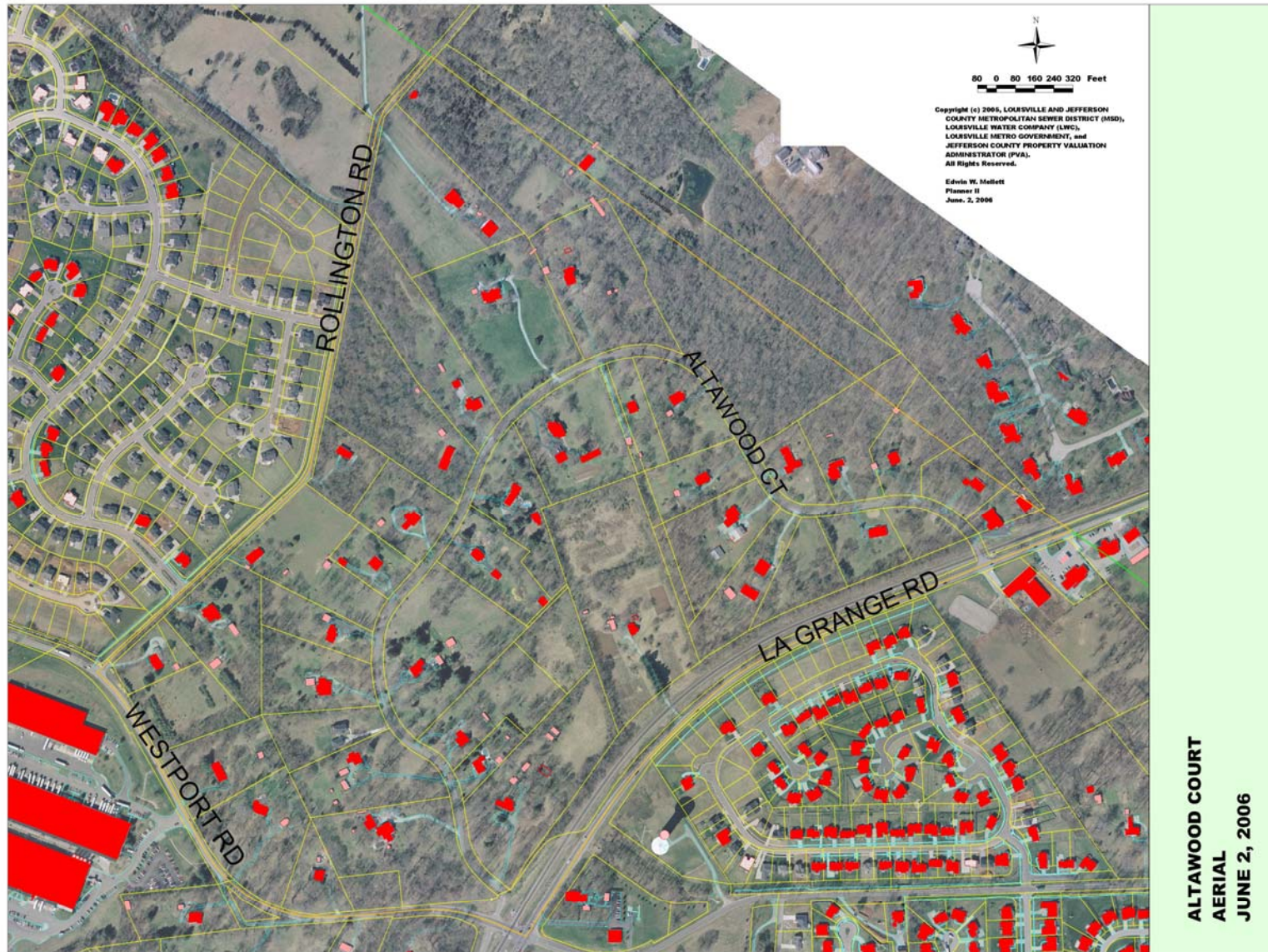
being of the entire community and show proposals for the most appropriate, economic, desirable and feasible patterns for the general location, character, extent, and interrelationship of the manner in which the community should use its public and private land at specified times as far into the future as is reasonable to foresee.

Relatively strong development pressures exist in the area surrounding Altawood Court. A majority of the

land surrounding the area has been developed in the last twenty years. This has transformed the subdivision from an isolated low-density development surrounded by farmland to a low-density development surrounded by standard subdivisions, an industrial development and a scattering of commercial activities.

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Chapter 2 Historic Context

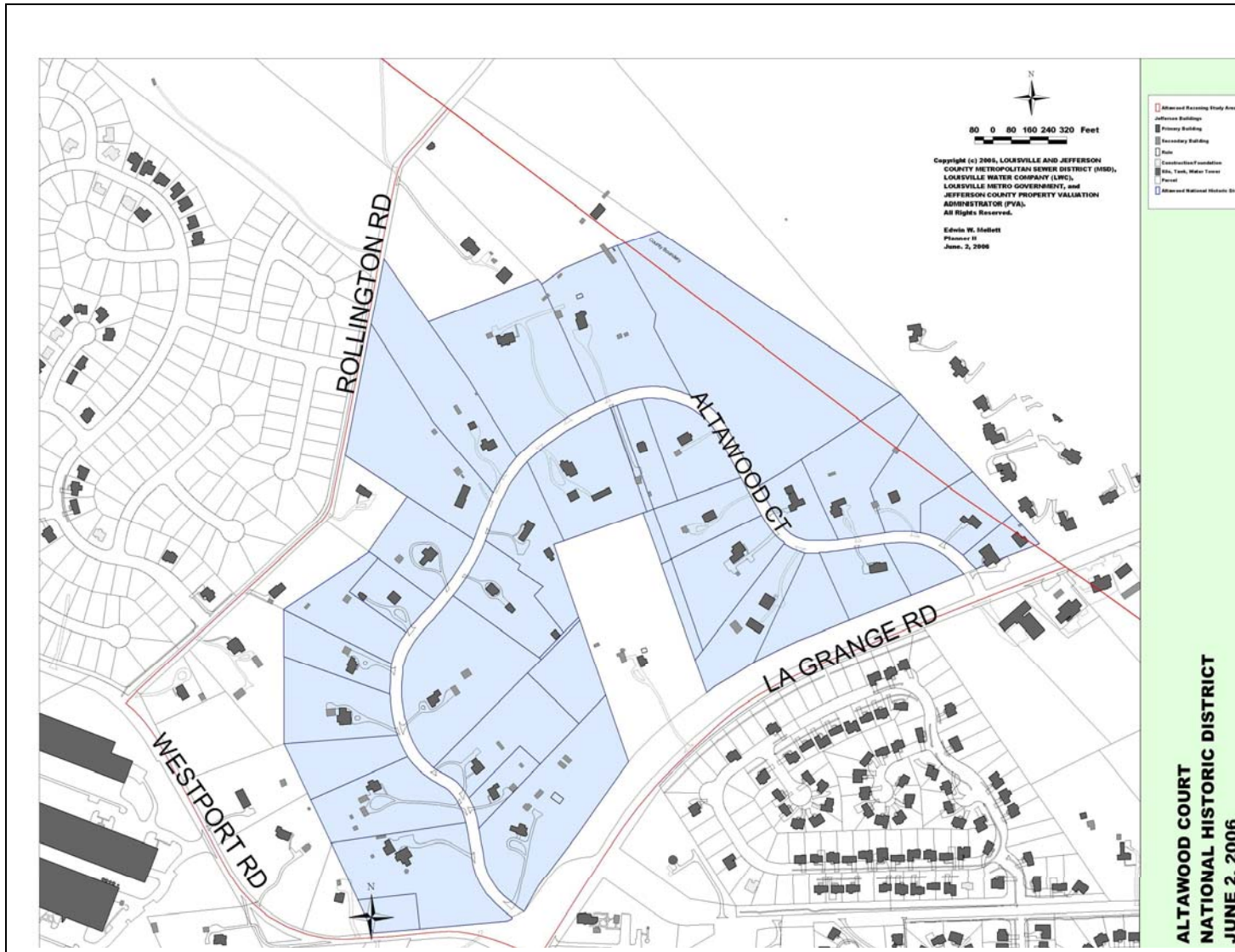
The National Register Altawood Historic District (JF483) is a subset of the Altawood Court study area that this report is analyzing. The National Register District is shown on Map 2. It is identified broadly as “Railroad and Interurban-related Development” from the 1858 to 1935 period. At the time of application to the National Register of Historic Places identified 85 significant features including the entire District as a site, main dwellings, outbuildings vacant lots and two stone gates. Seventy of these features were considered contributing elements to the nomination and fifteen evaluated as non-contributing. The application indicated there were thirty-three lots with the majority over five acres. However upon review with the LOJIC system there were 39 lots (including some that were split by the drawn boundary) and only 6 were over 5 acres. Three (3) more lots were over 4 acres. The largest lot included only 12.8 acres inside the Historic District. The applicant may have described the area based on ownership and entire lots but this cannot be determined from the application.

The architecture is described as arts and crafts-inspired or prairie school-inspired and characterized “by low-pitched roofs, wide overhanging eaves, two stories, with one-story wings or porches and façade detailing emphasizing horizontal lines often with massive square piers as porch supports”. The bungalow form is also present (one and one-half story building). Overall the application found the Altawood District to have a high degree of design integrity enhanced by the landscaping and lot patterns.

The entire application for the National Register Altawood Historic District is included in Appendix 1 Part C .

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Chapter 3 Administrative Environment

Existing Zoning And Form District Designation

Currently the entire area is zoned **R-4 Single Family Residential** and is in a **Neighborhood Form District**. At a maximum, this zoning allows lots that are 9000 square feet with a 60-foot width, 30-foot front setback, 5-foot side yards, a 25-foot rear yard and 35-foot building height limit. There are additional restrictions on lot development when the **Infill Site Context** requirements apply. Because it is currently developed at less than one dwelling unit per acre, infill sites are not widely applicable within the study area

Surrounding zoning includes higher density single family zoning (**R-5 Single Family Residential**), a small office/apartment zone (**OR-3 Office Apartment Residential**), and a small commercially zone tract (**C-1 Commercial**). More significant in terms of impact is the industrially zoned (**PEC Planned Employment Center**) property west of Westport Road that connects to the Ford

5.3.1 Neighborhood Form District

C. Dimensional Requirements

1. Infill Site Context

a. Where 50% or more of either the lots or street frontage (lineal distance) within 200 feet of the subject site and on the same side of the street are occupied by principal structures, the following requirements apply instead of applicable standards in Tables 5.3.1 and 5.3.2.

i. Construction of new or expanded residential structure on lots created prior to the effective date of this regulation, or on parcels created by minor plat after the effective date, shall fall within the range of the front setbacks of the two nearest principal residential structures. The side setback shall fall within the range of the two nearest principal residential structures or three (3) feet, whichever is greater. The minimum street side yard setback shall be that of the nearest principal residential structure (accessory structures are excluded from this provision).

ii. New non-residential structures shall be located at the lesser of the established building pattern (average front and street side setback) or the maximum front and street side setback defined in Table 5.3.2.

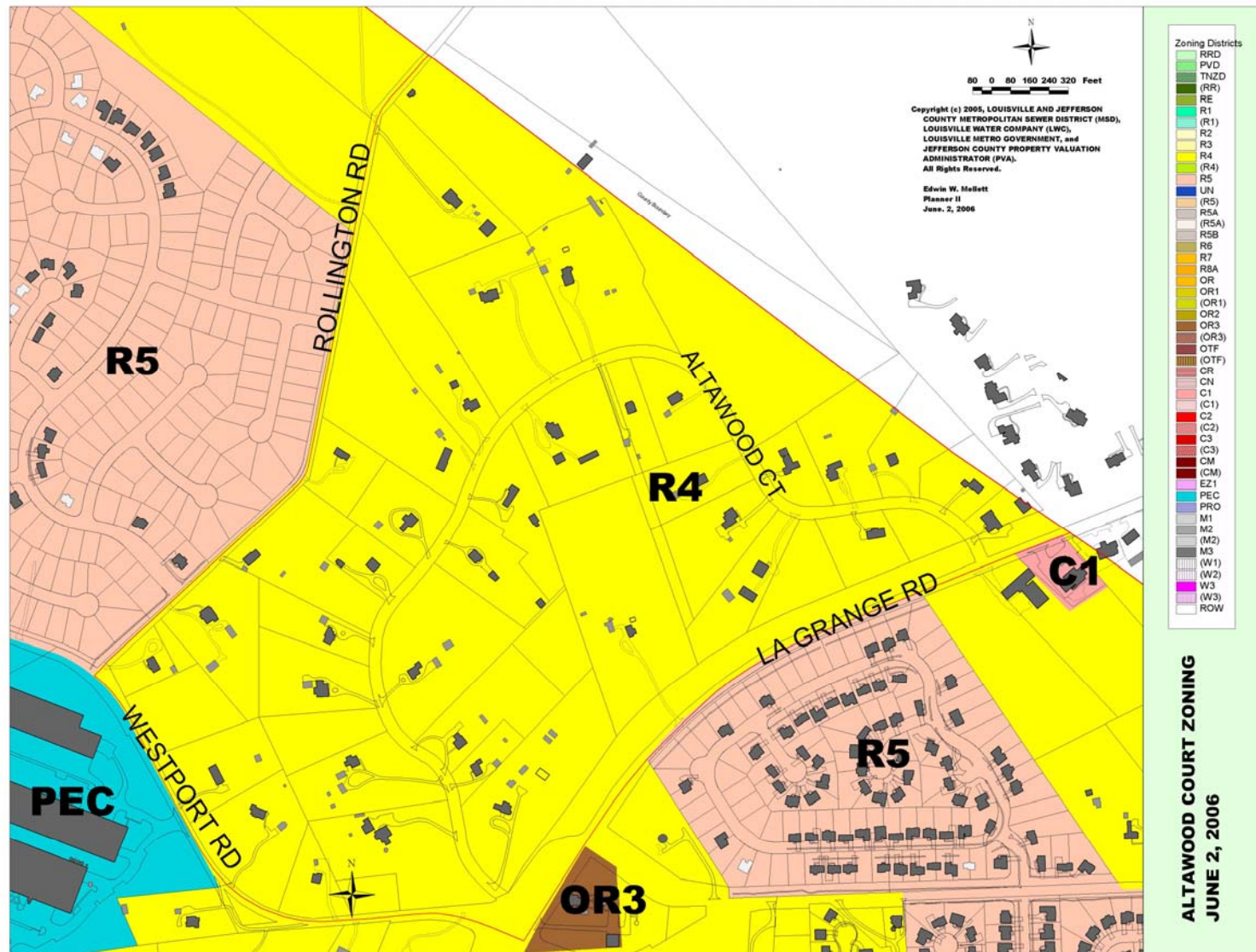
iii. The Infill Site Context standards shall not apply if property within 200 feet of the subject site and on the same side of the street is developed at a density less than one dwelling per acre.

Motor Company's Kentucky Truck Plant and, unlike the rest of the **Neighborhood Form District** surrounding the study area, is classified as a **Suburban Workplace**. This employment area is a major traffic generator and

has also helped drive the residential growth in the areas surrounding Altawood Court for the last three decades.

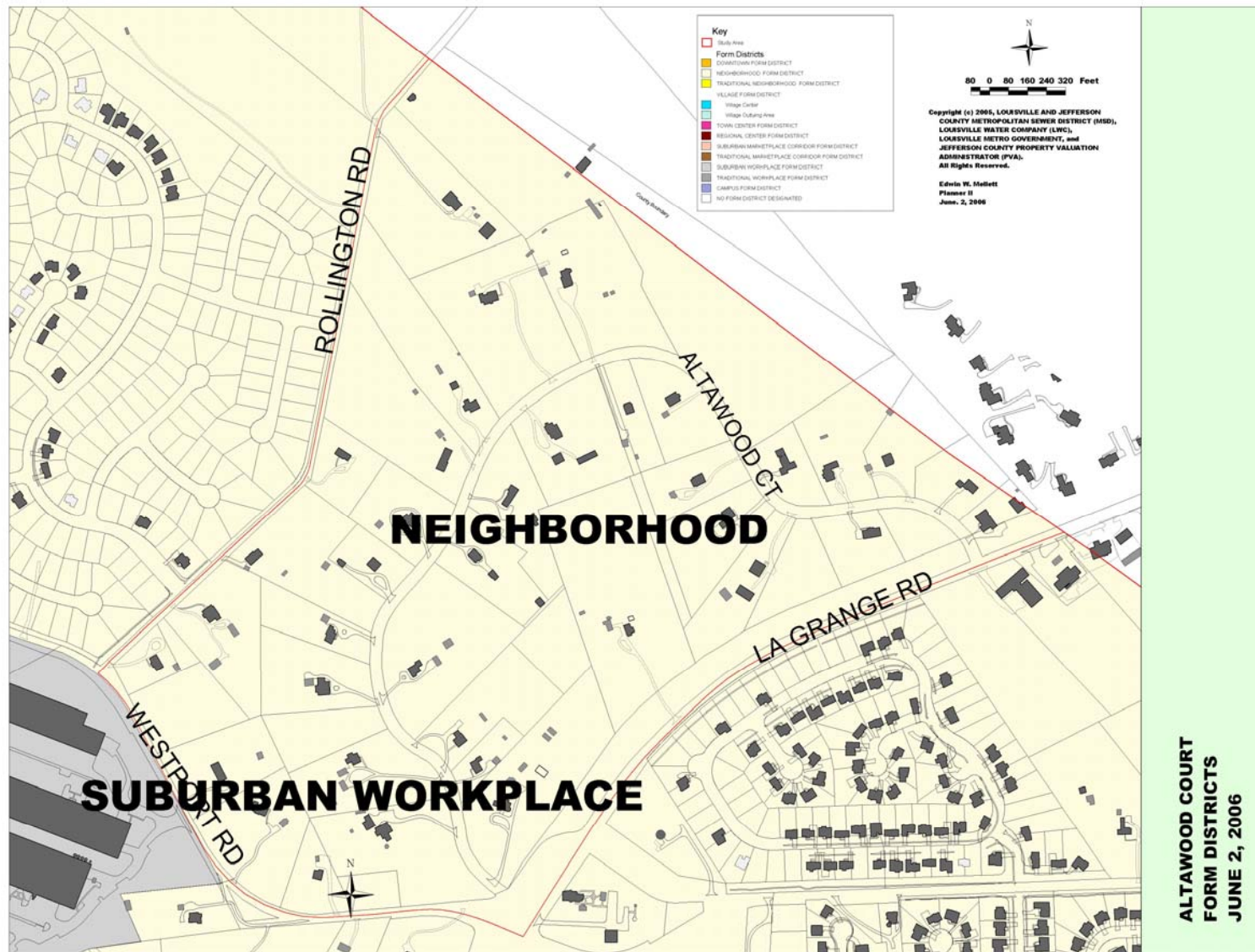
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Historic Preservation Reviews

Currently part of the Altawood Court Study area is a National Register Historic District. This allows some control over projects that involve federal funding. It does not provide the mechanism to control private actions that could diminish the character of the development.

Some interest has been expressed in creation of a **Local Historic District** under the Metro Louisville regulations. The locally administered program provides a means to regulate changes to the physical character of the designated historic district and assure that new or replacement development meets standards appropriate for the area. There are currently seven of these districts all in the former City of Louisville. Nearly any change in the exterior of a structure is regulated under this process. Exceptions can be found in Appendix 1 part D that provides a complete listing of the ordinance. The following table shows checklists used for reviews.

Development Checklists for a Local Historic District
Addition
Demolition
Door
Garage
Masonry
Metal
New Construction-Commercial
New Construction-Residential
Paint
Porch
Roofing
Siding
Sign
Site
Storefront
Streetscape
Window

This is a locally controlled process. Each district developed under this regulation has unique guidelines and an **Architectural Review Committee** consisting of seven members. The Director of the Department of Inspections, Permits and Licenses (or designee), two members from the Landmarks Commission appointed by

the Commission Chairperson, and four members appointed by the Landmarks Commission and approved by the Metro Council. The Committee needs to include two owner-residents or tenants within the district, one real estate professional, one architect and one the owner of income producing property located within the district. All members are expected to have an interest in local landmarks districts preservation.

The Architectural Review Committee has the power to review all building and demolition activity that could change the character of an historic district. Metro Government will not issue permits until either a review or indication that a review is not needed have been provided. As the checklists listed on the previous page indicate, this is a detailed review process. State law does provide for an appeal process for applicants that feel the restrictions are inappropriate.

The guidelines for the district could specify buffers as are discussed in Part 5 of this report under the Urban Residential Zone alternative. This is not, however, a zoning based process and would be administered at the

permit issuance stage and may not be binding on the subdivisions of land.

Potential Development

Currently the primary potential development in the Altawood study area is for single-family residential use on lots as small as 9000 square feet. However there are several other uses that are allowed in the R-4 Single-Family Residential zone (as well as the R-E, R-1 or R-2 zoning classifications) as are shown in the table to the right. All uses shown in this table are permitted in the R-4 zoned study area.

A subdivision plan (10-17-06) for the Estates of Altawood was submitted for this area on May 1, 2006, four days before the resolution recommending this study was signed by the Mayor and over two weeks before it was received by the Planning Commission Staff (May 18, 2006). The Estates of Altawood will add 18 lots and is allowed under the existing zoning district regulations in the R-4 zone. This report will not be able to influence the Estates of Altawood subdivision but future infill development can be better regulated. The preliminary subdivision plan was approved at the July 13, 2006 Planning Commission hearing.

Permitted Uses in An R-4 zone:

Accessory buildings or uses
Agricultural uses
Churches, parish halls and temples
Colleges, schools and institutions of learning (except training schools)
Community residences
Convents and monasteries
Country clubs
Dwellings, Single-family
Family care home (mini-home)
Garage or yard sales
Golf courses, except miniature courses, driving ranges, or privately owned golf courses operated for commercial purposes
Home occupations
Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
Parks, playgrounds, and community centers
Residential care facilities
Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner

Land Use/Growth Management

The framework for future land use is the Comprehensive Plan, Cornerstone 2020. The Altawood Study area is mapped as a Neighborhood Form Area. The Neighborhood designation does not assure a strictly

single family residential character as Altawood is today. In fact none of the Form Areas provide this “exclusive” single use characteristic that would not be appropriate for the large areas that Form Areas represent. That does not mean that a single use area is inappropriate for a smaller area like Altawood. Instead at a scale common in the

Definition of a Neighborhood Form Area (Cornerstone 2020 Comprehensive Plan page 39)

3. Neighborhood - The Neighborhood Form is characterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. High-density uses will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas.

The Neighborhood Form will contain diverse housing types in order to provide housing choice for differing ages and incomes. New neighborhoods are encouraged to incorporate these different housing types within a neighborhood as long as the different types are designed to be compatible with nearby land uses. These types may include, but not be limited to large lot single family developments with cul-de-sacs, neo-traditional neighborhoods with short blocks or walkways in the middle of long blocks to connect with other streets, villages and zero-lot line neighborhoods with open space, and high density multi-family condominium-style or rental housing.

The Neighborhood Form may contain open space and, at appropriate locations, civic uses and neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services. These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods. The Neighborhood Form should provide for accessibility and connectivity between adjacent uses and neighborhoods by automobile, pedestrian, bicycles and transit.

Neighborhood streets may be either curvilinear, rectilinear or in a grid pattern and should be designed to invite human interaction. Streets are connected and easily accessible to each other, using design elements such as short blocks or bike/walkways in the middle of long blocks to connect with other streets. Examples of design elements that encourage this interaction include narrow street widths, street trees, sidewalks, shaded seating/gathering areas and bus stops. Placement of utilities should permit the planting of shade trees along both sides of the streets.

Form Areas, an integrated mix of land use is essential to meet the needs of the residents.

This is an area of the county that has seen and will continue to see rapid population and housing growth based on recent Census information and the projections that serve as background for Cornerstone 2020. The 1996 Background information for the Traffic Analysis Zone number 479 projected growth from 130 persons in 1990 to 718 by 2020. The Subdivision north of Rollington Road has probably already exceeded this projection or soon will.

Chapter 4 Preservation Concerns

This section needs to reflect the actual concerns of the residents of the area. The following elements are an in house statement of issues.

Preservation of the Public and Private Sense of Place

A sense of place is derived from developments that entail scales that are meaningful to people. Personal self can become lost in spaces that are too vast or grand to allow a person to know where they “fit”. Vast plains or expanses are places we pass through to reach those places that surround us with the familiar.

If we are to better protect and manage the natural and man-made resources that provide a sense of place in the Altawood Court neighborhood, we will need to reach a consensus about what those features are. An outsider may drive or walk through the area and see views and forested areas that seem significant and miss something which has importance because of a significant

event that occurred once or periodically or looks great for the one week a year when a tree blooms or fall leave color is at it's peak. Building a protective program around environmental features is not a snapshot process.

Views (view sheds, visual screening) and Noise

Views are as much about what you cannot see (detracting elements and eyesores) as that which you can see. Altawood Court represents an island of large lot homes built to serve early railroad and interurban commuters. This was an affluent area when built and, until the last few decades somewhat removed from the more recent car oriented suburbanization that now borders it on the north and south. Because the area has relatively little change in elevation trees and distance probably provide much of the enclosure to the view sheds in the neighborhood. New development could reduce their effectiveness. Trees also combine with

distance to diminish the perception, if not the level of ambient noise in a neighborhood.

Tree Preservation (areas and methods)

All new residential subdivisions creating more than five (5) build able lots and all new multi-family and nonresidential development or expansion or reconstruction of an existing nonresidential building or development if there is an increase in building area or impervious surface area by more than fifty (50) percent or where a structure has been demolished and a new structure built in its place must comply with the Land Development Code, Chapter 10 Part 1: Tree Canopy Regulations. The intent of this Part is to protect, conserve and replace trees in order to enhance community character, provide wildlife habitat, maintain air and water quality, prevent soil erosion, provide noise buffers, and enhance property values. For a mature subdivision development like Altawood Court the issue is probably the importance of maintaining existing mature stands of trees in the event new development occurs.

However, the Tree Canopy Regulations allow the tree canopy requirements to be satisfied at the applicant's discretion by any combination of the following means.

- A. Preservation of existing trees or tree stands on the development site.
- B. Planting new trees on the development site or as street trees on adjacent rights-of-way.
- C. Planting new trees on an alternative site approved by the Planning Commission, at the applicant's expense.

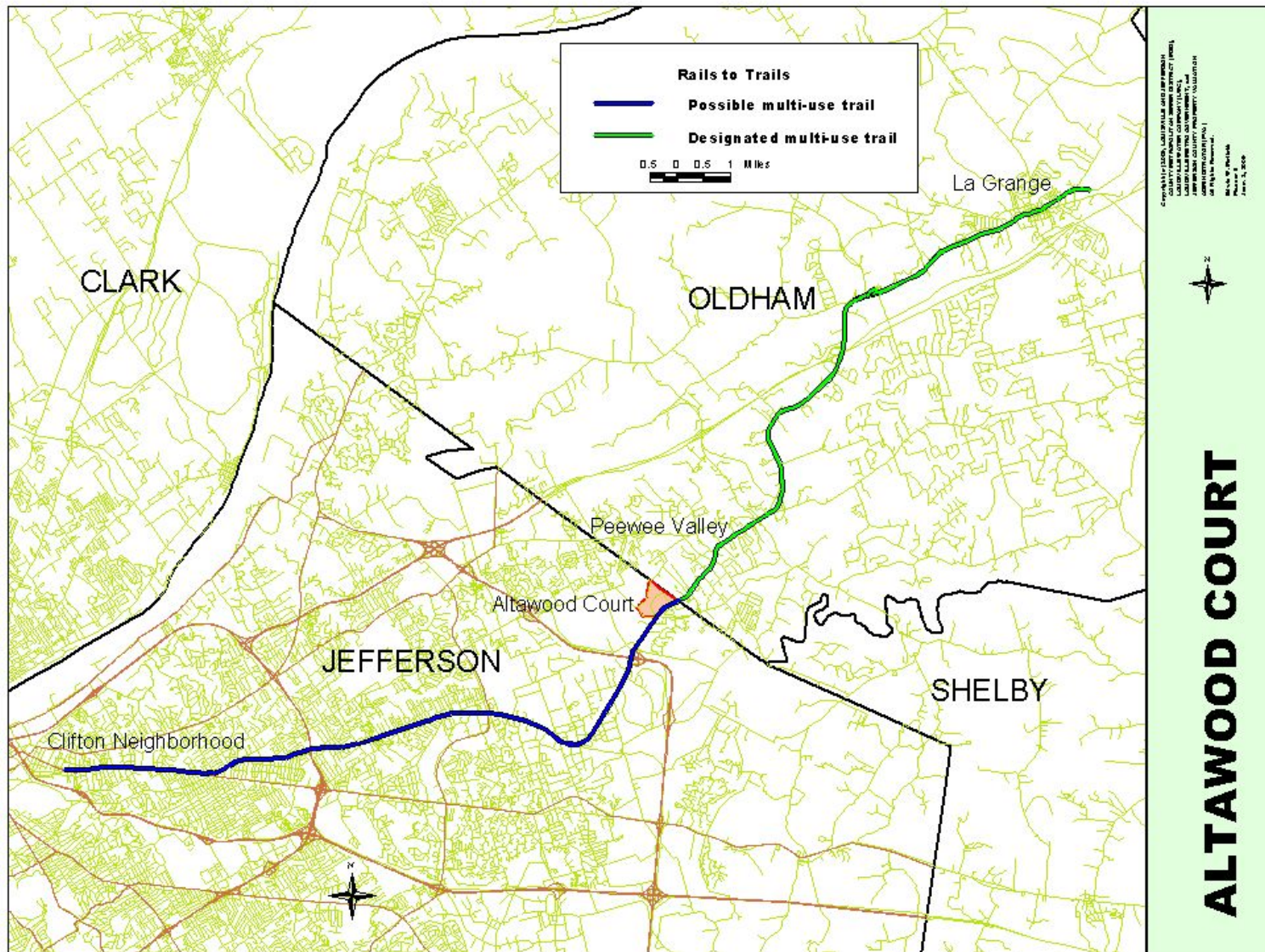
This may fall short of the expectations of the Altawood Court residents.

Special Conditions

Oldham County has recently converted a portion of the abandoned Interurban right-of-way within Oldham County that connects to the abandoned right of way that borders the Altawood Court neighborhood on the southeast side to a multi-use trail. Oldham County

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Interurban Greenway is located along KY 146, through Buckner, LaGrange, Crestwood, and Peewee Valley. Its endpoints are Peewee Valley and LaGrange, for a length of 13 miles. Its location is in the right of way of the rail line that once connected Louisville and Oldham County. It has received funding through TEA-21.

Rail trails are public paths that have been created from former railroad corridors. These paths are used for activities that may include walking, bicycling, equestrian, and wheelchair use. Currently there are more than 11,000 miles of rail trails in the United States, with more projects being planned. Rail trails are constructed along rail lines that have been abandoned; an abandoned rail line is one on which rail service has been discontinued and the Surface Transportation Board has approved the abandonment. A recent development is the shared use of active rail corridors as “rails-with-trails”. In the case of abandoned rail lines, usually the corridor is purchased by a local, state, or government agency that then builds a trail along the corridor. However, in some cases, volunteer groups formed by citizens construct the trail.

This resource could be developed in Jefferson County to extend the multi-use trail along the rail lines as far west as Frankfort Avenue at South Clifton Avenue. As the entryway and terminus of the Jefferson County portion of such a facility the land along Altawood’s southeast border could reasonably be expected to have a

welcome center and user facilities such as drinking fountains and restrooms in a nicely developed park setting.

Potential Development

Development potential within the study area is discussed in the sections on current zoning and development alternatives. Low-density development south of Westport Road has the potential based on current zoning (R-4) to redevelop at a higher residential density than currently exists and the adjacent PEC zoned area is not a Plan Certain development that could

allow some additional development to occur within the limitation requirements of the new Land Development Code. (Refer to Appendix I part H Suburban Workplace Form District regulations.) The rest of the vacant lots around the study area are currently zoned for R-4 and R-5 single family residential development with the exception of an Office Residential (OR-3) zone that allows most

office uses and multifamily residential (currently used as a general office) and a C-1 commercial lot (currently used as a gas station/mini-mart) on the south side of LaGrange Road. Overall, the character of the surrounding land use is likely to differ significantly from the current character in the Altawood Court. Screening and buffering on this perimeter will need to be maintained and possibly improved.

Land Use/Growth Management

Land use choices affect the entire community to some degree and community goals for development influence the decision making process in neighborhoods as well. The Altawood Neighborhood is a very low-density development. When it was developed it was so far removed from the urban core and the amount of developable land in the community was so great that this pattern of development was not an issue. The Comprehensive Plan encourages the unique and diverse characteristics of Louisville and Jefferson County's neighborhoods and existing developed neighborhood form districts generally should be maintained in their

current forms. Altawood could remain unchanged and meet these goals.

However, these goals apply to the general mix of uses in a Neighborhood Form Area, not the small subdivision area that makes up Altawood. The reality of subdivision law is such that vacant areas of the neighborhood that are zoned for R-4 single family use can be subdivided for much higher densities than are found there today.

Chapter 5 Potential Zoning Scenarios

Summary

Four possible alternatives for protecting the Altawood Study area are examined in this section. There are other alternatives or combinations of these alternatives that could be considered but for now these four will serve to start the conversation on the direction to take this process. All four would be enhanced by creation of a local Historic Preservation District that coincided with the study area. The four alternatives are briefly:

Planned Development District with a Master Plan Option or a Concept Plan Option

Potentially the most restrictive alternative - can stop all new lots allow only the existing lots be used for single-family homes and limit units to as few as 49 homes.

RE or R-1 area wide rezoning,

40,000 minimum lot size - allows substantial increase in new lots to be created - up to 145 total units without merging existing lots.

R-2 area wide rezoning –

20,000 minimum lot size - allows many new lots to be created up to 310 total units without merging existing lots.

R-4 (keep existing)

This is the least restrictive alternative, allowing 9,000 square foot minimum lot size - allows many new lots to be created up to 715 total units without merging existing lots.

Planned Development District with a Master Plan or a Concept Plan Option

Potentially the most restrictive alternative - can stop all new lots, allow only the existing lots be used for single-family homes and limit units to as few as 49 homes.

Appendix Part H. contains Chapter 2 Part 8 Planned Development (PD) District from the Land Development Code. While not a perfect fit for enacting a Master Plan for a small suburban neighborhood it does provide the basic elements needed and could also be amended to provide a better fit with the KRS 100.201 (3) legislation. The Planned Development District includes:

“Respect and reinforce existing communities, integrating new development with existing development to ensure compatibility” as one of the flexible design standards used to “promote diversity and integration of uses and structures in a planned development”. The Altawood Court area meets the 50-acre requirement for minimum size of a PDD in a Neighborhood Form District.

The PDD allows a choice of either a “Concept Plan” or a “Master Plan” option in the rezoning application. Both allow more restrictive language to be adopted than is provided for by the existing zoning codes.

The Concept Plan or a Master Plan could present a site plan drawn up for the entire area that suggested lot patterns and uses rather than allow them to be piecemeal added as new subdivisions occur. Another possible tool to use would be designating buffers, based on the location of existing structures, that limit where new structures could be built. Three examples that vary the size of the buffer by type of building are shown on the maps that follow. The area affected by the buffers for individual primary structures range from 4.4 acres (200-foot buffer) to 1.5 acres for a 100-foot buffer. Conversely the areas where new development could occur decrease as the buffers increase. A decision on the balance between possible new growth allowed and the degree of buffer needed to protect the “character” of the Altawood development would require input from the residents. It may be that rather than a flat distance some variation based on vegetation or protection of a sweeping vista

that needs preserving, could be incorporated into the buffers. Buffers would also not likely cross rights of way a reduction in affected area is likely.

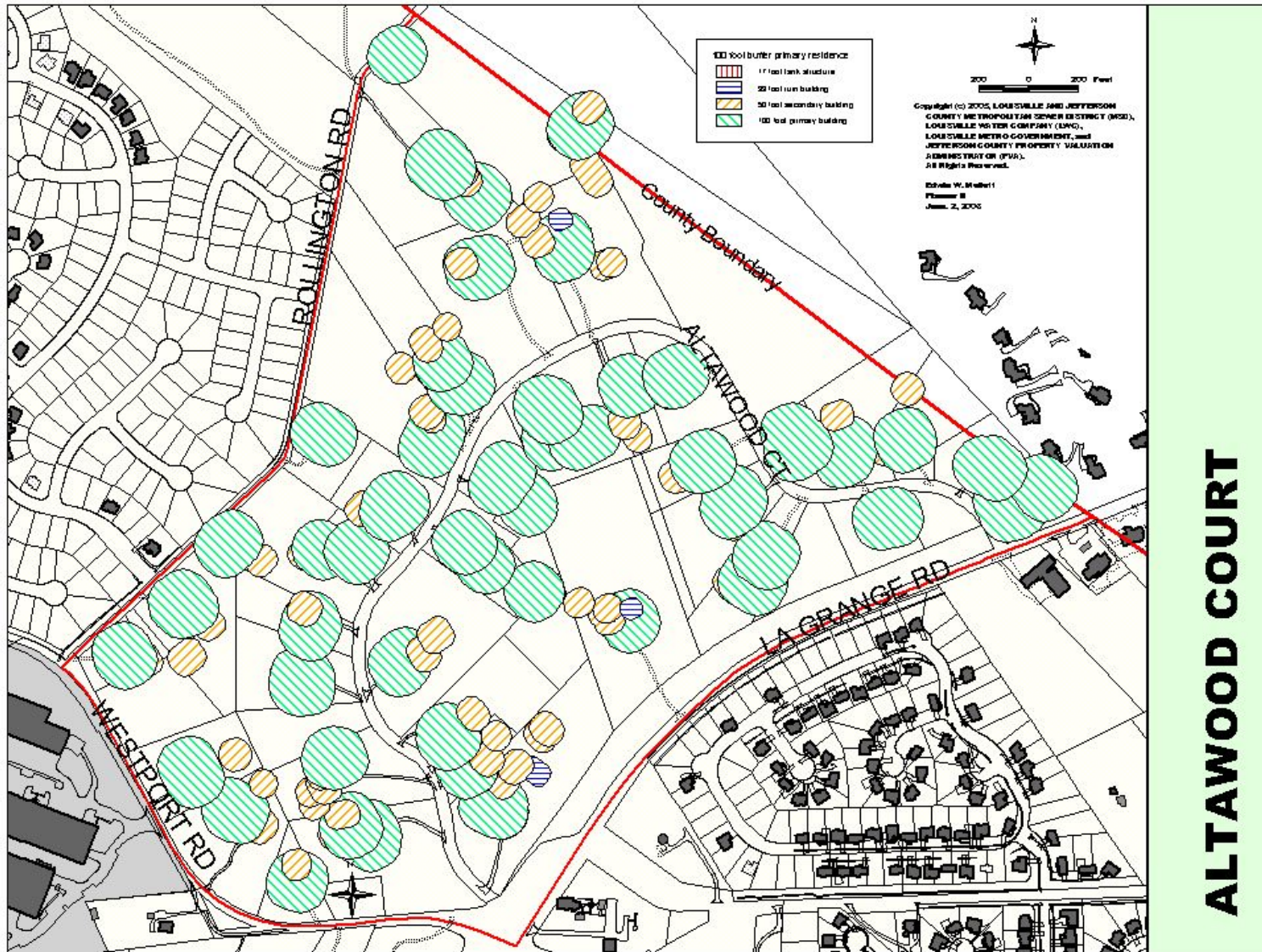
Buffers may not be a completely satisfying approach to controlling development. The pending subdivision (10-17-06, The Estates of Altawood) appears to fall mostly within an area that is outside the buffer at all three scales (excepting the residence that shares the lot). The roadway connection through the development

connecting Altawood Court and Rollington Road has been raised an issue.

Development of a master plan for the area would likely require the services of consultant working with the neighborhood to design a plan that a majority of the residents could support. The less specific concept plan may not require as much consultant assistance.

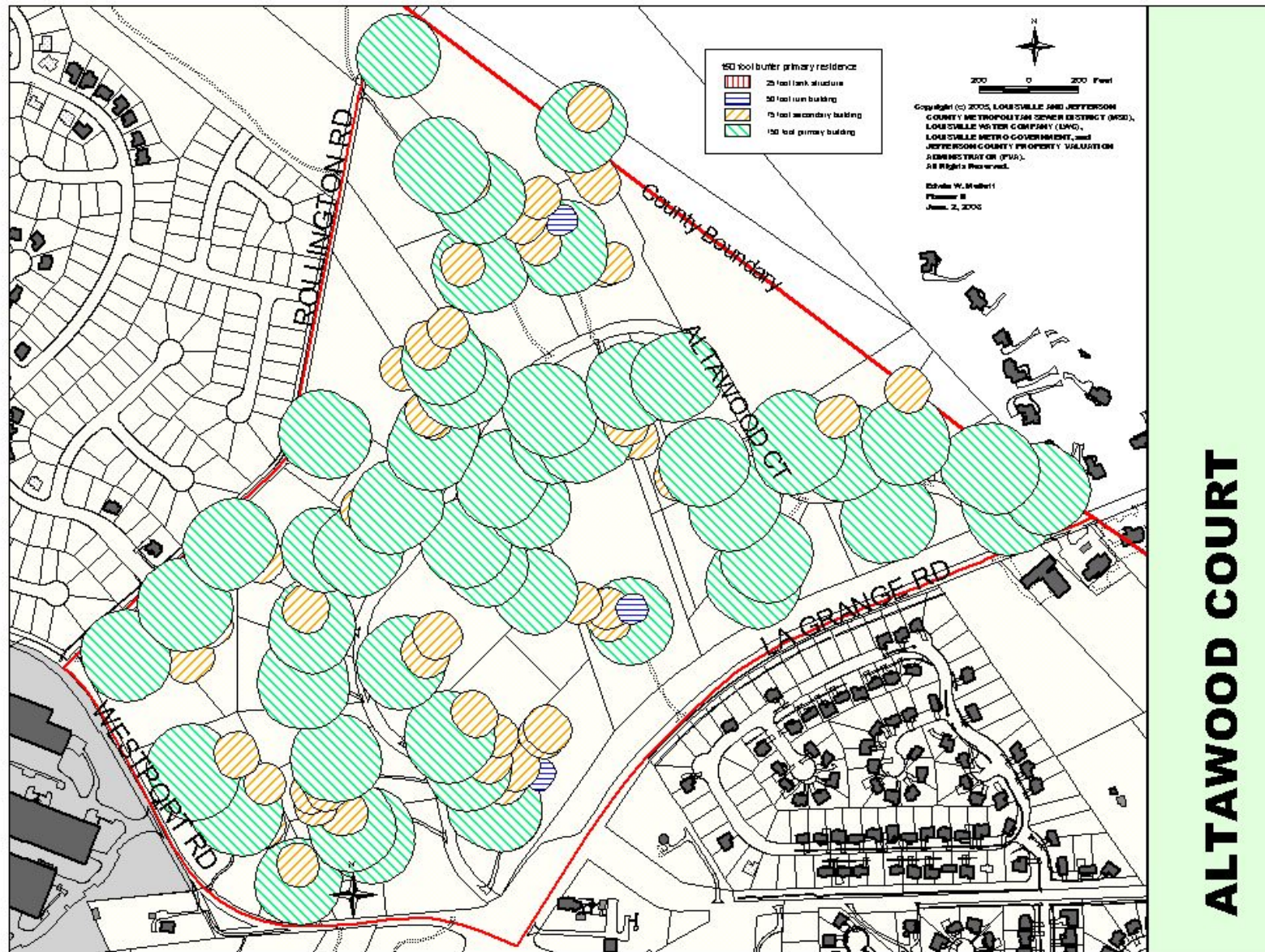
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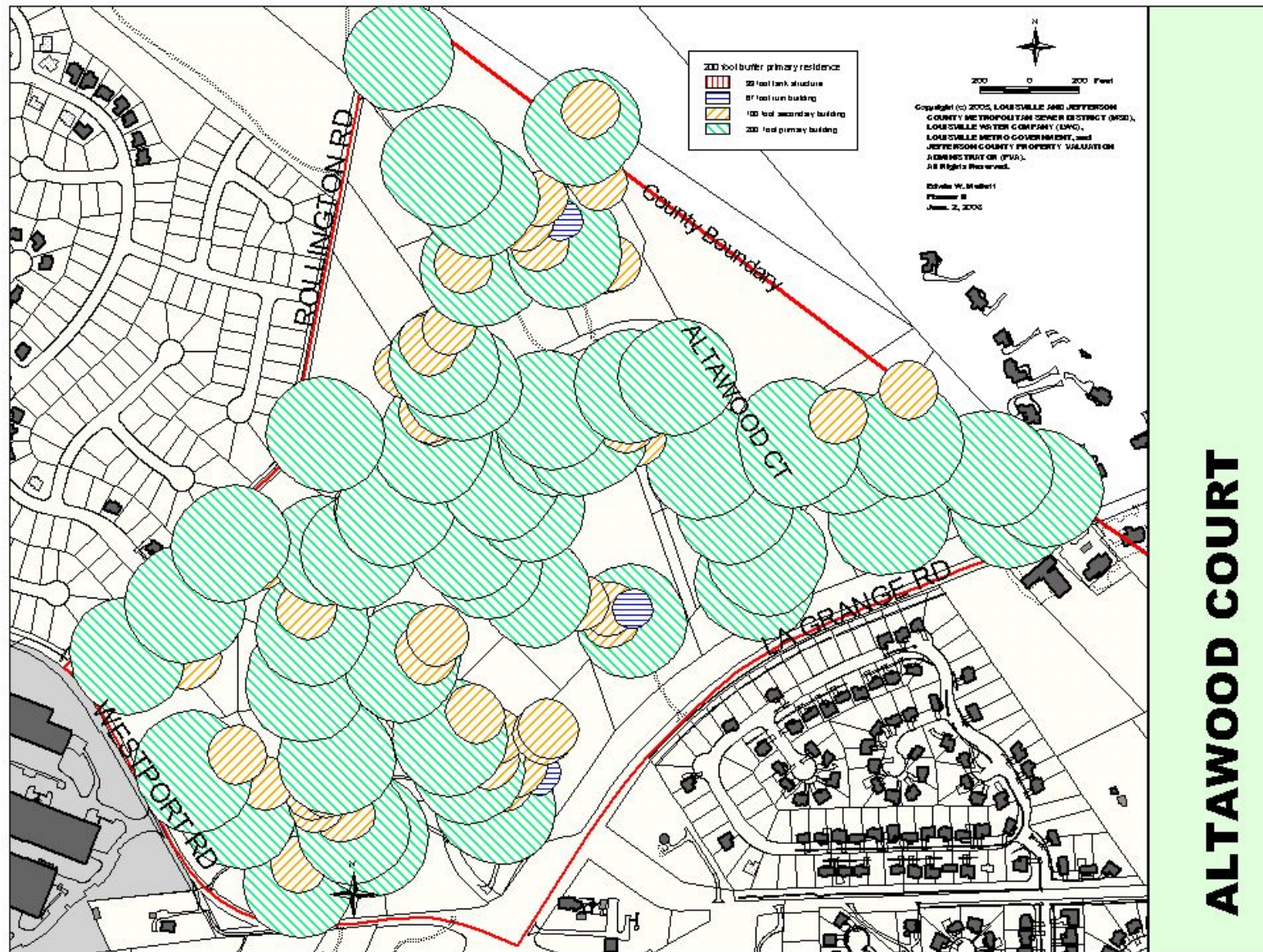
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RE or R-1 area wide rezoning

Only seven lots are smaller than 40,000 square feet today most between one and three acres in size and over all, average 136,155 square feet in area (3.12 acres). Setting a 40,000 minimum lot size could allow a substantial increase in new lots to be created (up to 151 total units without merging existing lots) based on acreage. Given the limitations that exist for infill development it would be unlikely to approach that total number. The likely change could still be substantial. The larger lot size may protect some sense of the large lot development that characterizes the study area. Unlike the potential imposition of a buffer around historic homes possible under the Urban Residential Zone PDD proposal, new adjacent homes could be as close as 30 feet from an historic structure.

Nearby Anchorage, which has a similar overall lot pattern, is almost entirely zoned RE (Single Family Residential Estate) with some R-1 (Single Family Residential). However, this provides more protection in

Anchorage where the RE (Single Family Residential Estate) zoning requires 105,000 square foot minimum lots. Under currently adopted Metro Louisville regulation (the Land Development Code) lot size minimums for single-family residential zoning districts jumps from 40,000 (R-1 or RE) to 217,800 square feet (RR Rural

Permitted Uses in R-E, R-1, R-2, and R-4 zones:

Accessory buildings or uses
Agricultural uses
Churches, parish halls and temples
Colleges, schools and institutions of learning (except training schools)
Community residences
Convents and monasteries
Country clubs
Dwellings, Single-family
Family care home (mini-home)
Garage or yard sales
Golf courses, except miniature courses, driving ranges, or privately owned golf courses operated for commercial purposes
Home occupations
Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries
Parks, playgrounds, and community centers
Residential care facilities
Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner

Single Family Residential). R-E and R-1, zones also allow uses in addition to single-family homes as listed below.

R-2 Residential single Family area wide rezoning

With a 20,000 minimum lot size this zoning classification would allow many new lots to be created (potentially as many as 313 total units without merging existing lots) while maintaining a scaled down version of the broad lawns that currently are found in the area. This designation may not provide large enough lot sizes to maintain the existing character of the area. A new adjacent home could be as close as 20 feet from an historic structure.

The primary potential development in the Altawood study area under R-2 is for single-family residential use on lots as small as 20,000 square feet. As noted before, there are several other uses that are allowed in the R-2 Single-Family Residential zone

R-4 (existing)

This is the least restrictive alternative, allowing 9,000 square foot minimum lot size. Many new lots could be created; up to 712 total lots overall without merging existing lots. A new adjacent home could be as close as 10 feet from an historic structure. In an historic area where lot size and landscape setting is such an important part of the character this seems inappropriate.

Chapter 6 Recommendation

Appendix I

Part A. Council Resolution

RESOLUTION NO. 53, SERIES 2006

A RESOLUTION REQUESTING THE LOUISVILLE METRO PLANNING COMMISSION TO STUDY, HOLD A PUBLIC HEARING, AND FORWARD ITS RECOMMENDATIONS TO THE METRO COUNCIL REGARDING AN AREA-WIDE REZONING OF THE ALTAWOOD COURT AREA.

Sponsored by: Councilman Glen Stuckel

WHEREAS, the legislative council of the Louisville/Jefferson County Metro Government ("Metro Council") finds that the Altawood Court area, which is bounded by LaGrange Road and Old LaGrange Road to the south, Westport Road to the west, Rollington Road to the north, and the Oldham County line to the east, is unique in character, specifically because a large portion of this area represents one of the first suburban subdivisions developed outside the city, and is on the National Register of Historic Places;

WHEREAS, despite continual encroachment of development on the Altawood Court area, the historic character of the Altawood neighborhood has persisted as the current character of the area still accurately reflects the residential development's historic integrity fashioned during its period of significance, which is evidenced by pastoral settings, wooded buffers, arts and crafts-inspired, prairie school-inspired, and bungalow form architecture, with the majority of lots still observing their original building setbacks, and, in addition, the majority of the structures have preserved the integrity of design consistent of the area's historic feel because additions or alterations to structures in the area have maintained the overall scale, massing, fenestration patterns, and materials of the original architecture; and

WHEREAS, because of the unique character of the Altawood Court area, Metro Council requests that the Louisville Metro Planning Commission study whether an area-wide down zoning of the Altawood Court area is warranted; and thereafter, requests that the Planning Commission hold a public hearing and make a recommendation on the proposed down zoning of the Altawood Court area.

NOW THEREFORE BE IT RESOLVED BY THE LOUISVILLE METRO COUNCIL

Section I: The Metro Council hereby requests that the Louisville Metro Planning Commission study whether a down zoning of the Altawood Court area is warranted, and thereafter, hold a public hearing and make a recommendation to Metro Council on an area-wide rezoning of the Altawood Court area.

Section II: For purposes of this Resolution, the Altawood Court area is defined as the area bounded by LaGrange Road and Old LaGrange Road to the south, Westport Road to the west, Rollington Road to the north, and the Oldham County line to the east.

Section III: This Resolution shall be effective upon its passage and approval.


Kathleen J. Herron
Metro Council Clerk

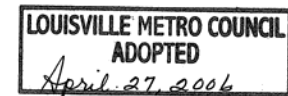

Kevin J. Kramer
President of the Council


Jerry Abramson
Mayor

5-04-06
Approval Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze
Jefferson County Attorney *IMS*



By: 

Part B. Comprehensive Plan Elements

100.187. Contents of comprehensive plan. – The comprehensive plan shall contain, as a minimum, the following elements:

A statement of goals and objectives, which shall serve as a guide for the physical development and economic and social well-being of the planning unit;

(2) A land use plan element, which shall show proposals for the most appropriate, economic, desirable and feasible patterns for the general location, character, extent, and interrelationship of the manner in which the community should use its public and private land at specified times as far into the future as is reasonable to foresee. Such land uses may cover, without being limited to, public and private, residential, commercial, industrial, agricultural and recreational land uses;

Kentucky Revised Statutes (KRS) Chapter 100 12

(3) A transportation plan element, which shall show proposals for the most desirable, appropriate, economic and feasible pattern for the general location, character, and extent of the channels, routes, and terminals for transportation facilities for the circulation of persons and goods for specified times as far into the future as is reasonable to foresee. The channels, routes, and terminals may include, without being limited to all classes of highways or streets, railways, airways, waterways; routings for

mass transit trucks, etc.; and terminals for people, goods, or vehicles related to highways, airways, waterways, and railways;

(4) A community facilities plan element which shall show proposals for the most desirable, appropriate, economic and feasible pattern for the general location, character, and the extent of public and semipublic buildings, land, and facilities for specified times as far into the future as is reasonable to foresee. The facilities may include, without being limited to, parks and recreation, schools and other educational or cultural facilities, libraries, churches, hospitals, social welfare and medical facilities, utilities, fire stations, police stations, jails, or other public office or administrative facilities; and

(5) The comprehensive plan may include any additional elements such as, without being limited to, community renewal, housing, flood control, pollution, conservation, natural resources, regional impact, historic preservation, and other programs which in the judgment of the planning commission will further serve the purposes of the comprehensive plan. (Enact. Acts 1966, Ch. 172, § 25; 1986, Ch. 141, § 11, effective July 15, 1986; 1990, Ch. 362, § 1, effective July 13, 1990.)

Part C: National Register Application

(Begins Next Page)

Altawood Court

Appendix 1

NPS Form 10-900
(Rev. 10-90)

OMB No. 1024-0018

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES REGISTRATION FORM

1. Name of Property

historic name Altawood Historic District

other names/site number JF483; Woodbourne Subdivision

2. Location

street & number Altawood Court
city or town Louisville vicinity X
state Kentucky code KY county Jefferson code 111
zip code 40245

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1986, as amended, I hereby certify that this _____ nomination _____ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property _____ meets _____ does not meet the National Register Criteria. I recommend that this property be considered significant _____ nationally _____ statewide _____ locally. (_____ See continuation sheet for additional comments.)

Signature of certifying official _____ Date _____

State or Federal agency and bureau _____

In my opinion, the property _____ meets _____ does not meet the National Register criteria. (_____ See continuation sheet for additional comments.)

Signature of commenting or other official _____ Date _____
State or Federal agency and bureau _____

4. National Park Service Certification

I, hereby certify that this property is:

- _____ Entered in the National Register
_____ See continuation sheet.
_____ Determined eligible for the National Register
_____ See continuation sheet.
_____ Determined not eligible for the National Register
_____ Removed from the National Register
_____ Other (explain): _____

Signature of Keeper _____

Date of Action _____

5. Classification

Ownership of Property (Check as many boxes as apply)

- X private
_____ public-local
_____ public-State
_____ public-Federal

Category of Property (Check only one box)

- _____ building(s)
X district
_____ site
_____ structure
_____ object

Number of Resources within Property

Contributing	Noncontributing
<u>67</u>	<u>15</u> buildings
<u>1</u>	_____ sites
<u>2</u>	_____ structures
_____	_____ objects
<u>70</u>	<u>15</u> Total

Number of contributing resources previously listed in the National Register 1

Name of related multiple property listing (Enter "N/A" if property is not part of a multiple property listing.)
Suburban Development in Louisville and Jefferson County, 1868 - 1940

Altawood Court

Appendix 1

6. Function or Use

Historic Functions (Enter categories from instructions)

Cat. Sub.
DOMESTIC SINGLE DWELLING

Current Functions (Enter categories from instructions)

Cat. Sub.
DOMESTIC SINGLE DWELLING

7. Description

Architectural Classification (Enter categories from instructions)

EARLY TWENTIETH CENTURY
Bungalow/Craftsman

Materials (Enter categories from instructions)

foundation STONE, BRICK, CONCRETE BLOCK
roof ASPHALT SHINGLE, STANDING SEAM METAL
walls WOOD, STUCCO, BRICK
other WOOD/SHINGLE

Narrative Description

SEE CONTINUATION SHEETS

8. Statement of Significance

Applicable National Register Criteria (Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing)

- ☒ A Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ B Property is associated with the lives of persons significant in our past.
- ☐ C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ D Property has yielded, or is likely to yield information important in prehistory or history.

Criteria Considerations (Mark "X" in all the boxes that apply.)

- ☐ A owned by a religious institution or used for religious purposes.
- ☐ B removed from its original location.
- ☐ C a birthplace or a grave.
- ☐ D a cemetery.
- ☐ E a reconstructed building, object, or structure.
- ☐ F a commemorative property.

☐ G less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance (Enter categories from instructions)

COMMUNITY PLANNING AND DEVELOPMENT
TRANSPORTATION

Period of Significance 1910-1935

Significant Dates 1910, 1912, 1913, 1935

Significant Person (Complete if Criterion B is marked above) N/A

Cultural Affiliation N/A

Architect/Builder N/A

Narrative Statement of Significance
SEE CONTINUATION SHEETS

9. Major Bibliographical References

Previous documentation on file (NPS)

☐ preliminary determination of individual listing (36 CFR 67) has been requested.

- ☒ previously listed in the National Register
- ☐ previously determined eligible by the National Register
- ☐ designated a National Historic Landmark
- ☐ recorded by Historic American Buildings Survey # _____
- ☐ recorded by Historic American Engineering Record # _____

Primary Location of Additional Data

- ☐ State Historic Preservation Office
- ☐ Other State agency
- ☐ Federal agency
- ☒ Local government
- ☐ University
- ☐ Other

Name of repository: _____

SEE CONTINUATION SHEET

Altawood Court

Appendix 1

10. Geographical Data

Acreage of Property Approximately 150 Acres

UTM References (Place additional UTM references on a continuation sheet)

Zone	Easting	Northing	Zone	Easting	Northing
1	_____	_____	3	_____	_____
2	_____	_____	4	_____	_____

____ See continuation sheet.

Verbal Boundary Description

THE NOMINATION INCLUDES THE APPROXIMATELY 150 ACRES OF LAND HISTORICALLY ASSOCIATED WITH THE 1910, 1912 AND 1913 SUBDIVISION PLATS FILED BY MURRAY KICE. SEE SKETCH MAP WITH HARD BLACK LINE INDICATING PROPOSED DISTRICT BOUNDARIES.

Boundary Justification

THE BOUNDARY REPRESENTS THE MAJORITY OF LAND HISTORICALLY ASSOCIATED WITH THE DEVELOPMENT OF ALTAWOOD.

11. Form Prepared By

name/title DONNA M. NEARY, CONSULTANT HISTORIAN
organization N/A
date November 30, 2000

street & number 1435 Willow Avenue
telephone 502- 456 - 9488

city or town Louisville state KY zip code 40204

Property Owner

COMPLETE LIST OF PROPERTY OWNERS ON CONTINUATION SHEETS

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NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

SECTION - PROPERTY OWNERS

PAGE 1

ALTAWOOD HISTORIC DISTRICT

"Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935."

LIST OF PROPERTY OWNERS

Dr. Sergio Pisterman
3705 Altawood Ct.
Louisville, KY 40204

Rudy D. Miller
12000 Lucas Lane
Anchorage, KY 40223

Dana Aroh
3706 Altawood Ct.
Louisville, KY 40245

Jim Morrison
3715 Altawood Ct.
Louisville, KY 40245

Robert Weber
3804 Altawood Ct.
Louisville, KY 40245

Vicki Elder
3801 Altawood Ct.
Louisville, KY 40245

Altawood Court

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ALTAWOOD HISTORIC DISTRICT "Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935."

=====

Cal Taylor
3811 Altawood Ct.
Louisville, KY 40245

David Reel
3812 Altawood Ct.
Louisville, KY 40245

Rudy Nalley
3816 Altawood Ct.
Louisville, KY 40245

Paul Bartack
3824 Altawood Ct.
Louisville, KY 40245

John Holland
3900 Altawood Ct.
Louisville, KY 40245

Tom Snyder
3901 Altawood Ct.
Louisville, KY 40245

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ALTAWOOD HISTORIC DISTRICT "Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935."

=====

Norman Swain
3907 Altawood Ct.
Louisville, KY 40245

Robert Stiles
3910 Altawood Ct.
Louisville, KY 40245

C. Thomas Beardon
3914 Altawood Ct.
Louisville, KY 40245

Joseph Stucker
3915 Altawood Ct.
Louisville, KY 40245

Mr. Gatenbee
3916 Altawood Ct.
Louisville, KY 40245

Thorne and Sally Vail
3920 Altawood Ct.
Louisville, KY 40245

Altawood Court

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ALTAWOOD HISTORIC DISTRICT "Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935."

=====

Mr. Staples
3921 Altawood Ct.
Louisville, KY 40245

Paul Graham
4001 Altawood Ct.
Louisville, KY 40245

Dirk Meyer
4010 Altawood Ct.
Louisville, KY 40245

Doug Profitt
4007 Altawood Ct.
Louisville, KY 40245

Jim Dunn
4009 Altawood Ct.
Louisville, KY 40245

Mr. Caibe
4015 Altawood Ct.
Louisville, KY 40245

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ALTAWOOD HISTORIC DISTRICT "Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935."

=====

Mr. Schmidt
4016 Altawood Ct.
Louisville, KY 40245

Louie Nix
4100 Altawood Ct.
Louisville, KY 40

Dabney Taylor
4106 Altawood Ct.
Louisville, KY 40245

Leona Carline
4107 Altawood Ct.
Louisville, KY 40245

Mr. Frank
4108 Altawood Ct.
Louisville, KY 40245

Doug Peters
3915 Rollington Lane
Louisville, KY 40245

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ALTAWOOD HISTORIC DISTRICT

"Railroad and Interurban-related Development in Jefferson County,
Kentucky, 1858 - 1935."

Description

The Altawood Historic District (the District) is located in Jefferson County, Kentucky, approximately 14 miles east of Louisville near Anchorage. The District is bounded to the northwest by property lines and Rollington Road, to the west by property lines, to the south by the CSX Railroad and LaGrange Road, also known as Highway 146, and to the northeast by property lines and the Oldham County Line. The nominated area contains approximately 150 acres.

The rail line remains in use by the CSX Company. Passenger service is no longer offered, and the train no longer stops in proximity to the District. The CSX right of way is not included in this nomination.

The District is today surrounded on all sides by subdivision and new construction. LaGrange Road has become a major thoroughfare between Oldham and Jefferson Counties featuring retail and restaurant developments. Recent subdivision of the land south of the district, across LaGrange Road is creating a neighborhood of new homes on historically vacant land. Developments have occurred on the east and north boundaries of the District as well.

The District contains 85 features, which include the entire District as a site; main dwellings; outbuildings; vacant lots; and two sets of stone entrance gates. Of these features, 70 are considered contributing elements to the nomination. Fifteen have been evaluated as non-contributing.

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ALTAWOOD HISTORIC DISTRICT

"Railroad and Interurban-related Development in Jefferson County,
Kentucky, 1858 - 1935."

The District is comprised of 33 subdivided lots and 28 single-family houses along with barns and outbuildings. The lots range in size from 2.5 to 35 acres, with the majority consisting of approximately 5 acres. The single, 35-acre lot remains a vacant, wooded lot, which creates a buffer on the northeast boundary of the District. A total of four historically vacant lots are found in the District. These lots were purchased within the period of significance. Vacant lots are deemed contributing to the District for their role in promoting the pastoral setting and providing wooded buffers for the inhabitants. These lots were not ignored by the owners, but thoughtfully considered as wooded landscapes.

Massive stone gateposts flank the two entrances to the District, one from Old LaGrange Road and the other from LaGrange Road. These mortar-laid gateposts set the properties inside apart from their surroundings. The District boasts a curvilinear main road, which loops entirely within the District, entering at one set of gateposts and exiting at the other. The road serves as the only vehicular access to District properties, and does not connect to any other roads. During the period of significance the land surrounding the District was overwhelmingly vacant. Suburban development based on automobile access has been developed in the past few decades on the perimeters of the District. The most popular architectural style found within the District is arts and crafts-inspired or prairie school-inspired architecture. These homes are characterized by low-pitched roofs, wide overhanging eaves, two-stories, with one-story wings or porches, and facade detailing emphasizing horizontal lines often with massive, square piers as porch supports. The bungalow form, which generally represents a one and one-half story building, is also represented.

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ALTAWOOD HISTORIC DISTRICT "Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935."

Integrity Considerations

The integrity of the District is very high. 70, or nearly ninety percent of the features in the District are considered contributing. Of the fifteen non-contributing properties, all are disqualified as contributing because their construction dates place them outside the period of significance.

All of the contributing historic resources in the District have integrity of location. Their integrity of setting provides an accurate portrayal of the residential development during its period of significance. Setbacks are observed, even among the new constructions in the District.

The integrity of design in the District remains high, with the majority of buildings maintaining their scale, massing, fenestration patterns, and materials. Additions with similar materials and in scale with the main block, which are compatible in design and character with the original building form, allow a building to retain its contributing status. Owners have used compatible materials and changes are in scale with the historic structure. Buildings in the District retain a high level of integrity of materials in keeping with the period of significance.

The District exhibits a high level of integrity of setting. The appearance of the buildings, roadways and cultural landscapes in the Altawood Historic District convey the feeling of what it was like to live in a rural suburb in Jefferson County. Mature trees, sweeping expanse of lawn and plantings are in evidence. The boundaries for the district, including the rail lines and wooded lots protect the integrity of those properties within the District from most visual intrusions of

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ALTAWOOD HISTORIC DISTRICT "Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935."

nearby modern developments. All of the residences face Altawood Court, a narrow, winding road devoid of curbs or sidewalks. The proximity of the rail lines and the sounds of the trains and bells from the crossings evoke a sense of what it was like to live along a major transportation artery in the county. The appearance of the District today maintains the integrity that enticed early residents to choose lots there.

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ALTAWOOD HISTORIC DISTRICT
"Railroad and Interurban-related Development in Jefferson County,
Kentucky, 1858 - 1935."

ALTAWOOD HISTORIC DISTRICT LIST OF RESOURCES JEFFERSON COUNTY, KENTUCKY							
CODE	ADDRESS	STORIES	MATERIALS	C	N-C	DATE	OUTBUILDINGS
1	3705 ALTAWOOD	2	WD	X		C. 1910-1915	7
2	3715 ALTAWOOD	1	BR		X	C. 1970	1
3	3801 ALTAWOOD	2.5	WD	X		C. 1910-1920	1
4	3811 ALTAWOOD	2	WD	X		C. 1927	3
5	3901 ALTAWOOD	2.5	WD	X		C. 1920-1925	2
6	3907 ALTAWOOD	2	WD	X		C. 1920-1935	2
7	3915 ALTAWOOD	2.5	WD	X		C. 1910-1920	2
8	3921 ALTAWOOD	1	WD		X	C. 1970	2
9	4001 ALTAWOOD	2	WD	X		C. 1912-1915	1
10	4007 ALTAWOOD	2.5	WD	X		C. 1912-1915	1
11	4009 ALTAWOOD	1	BR		X	C. 1980	1
12	4015 ALTAWOOD	2	WD	X		C. 1915-20	1
13	4107 ALTAWOOD	1	BR		X	C. 1973	
14	4107 ALTAWOOD	VACANT LOT		X		1910 - 1935	
15	4108 ALTAWOOD	1	WD		X	C. 1970	1
16	4106 ALTAWOOD	1	WD		X	C. 1970S	
17	4100 ALTAWOOD	2	WD	X		C. 1910-1920	3
18	4016 ALTAWOOD	2	WD	X		C. 1923	1
19	4010 ALTAWOOD	1	BR/WD		X	C. 1980-1990	
20	3920 ALTAWOOD	VACANT LOT		X		C. 1910-1935	
21	3900 ALTAWOOD	2.5	WD	X		C. 1879	5
22	3916 ALTAWOOD	2	WD	X		C. 1915-1925	
23	3914 ALTAWOOD	2	WD	X		C. 1910	3
24	3910 ALTAWOOD	2	WD	X		C. 1910-1930	2
25	3902 ALTAWOOD	2	WD	X		C. 1910 - 1930	1
26	3824 ALTAWOOD	2	WD	X		C. 1910-1930	2
27	3915 ROLLINGTON	LOT		X		C. 1910-1935	2
28	3816 ALTAWOOD	1	ST		X	C. 1970-1980	1
29	3812 ALTAWOOD	2	WD	X		C. 1910	
30	3804 ALTAWOOD	VACANT LOT		X		C. 1910-1935	
31	3804 ALTAWOOD	2	WD	X		C. 1910-1920	
32	3706 ALTAWOOD	2.5	WD		X	C. 1990-2000	4
33	ALTAWOOD	VACANT LOT		X		C. 1910-1935	
34	GATEPOSTS A			X		C. 1910-1913	
35	GATEPOSTS B			X		C. 1910-1913	
36	SITE			X		1910-1935	

WD - WOOD FRAME, BR - BRICK, ST - STUCCO
DATE - OF CONSTRUCTION

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ALTAWOOD HISTORIC DISTRICT
"Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935."

Statement of Significance

The Altawood Historic District (the District) in Jefferson County, Kentucky meets National Register of Historic Places Criterion A and is locally significant within the historic context "Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935" because of its association with the area of Community Planning and Development and Transportation. The context "Railroad and Interurban-related Development in O'Bannon Precinct, Jefferson County, Kentucky, 1858 - 1935" was developed for nomination of The Otto F. Eitel House (JF474), listed in 1998. It builds upon two other existing contexts "Suburban Development in Louisville and Jefferson County, Kentucky, 1868-1940" approved in 1988 as a Multiple Property Listing for Louisville and Jefferson County and "The Railroad-related Suburban Development of Lyndon, Kentucky: 1871 - 1935" approved in 1996 for listing the Lindenberg-Grant property (JF424). Both nominations address individual properties.

The Altawood Historic District is important because it clearly illustrates that city dwellers in Louisville chose residences in the rural suburbs over living in the city once modes of transportation existed to accomplish a daily commute. The District mirrors a pattern of residential sub-urban developments across Jefferson County, and the United States, which also initially relied on mass transit. By 1902 an article in the *The Courier-Journal* Business Section supports the expansion of the interurban lines saying "The traffic developed in the Anchorage and Pewee Valley line in a year's time is a sample of what can be done in a dozen different locations... and "The cost and inconveniences of travel by wagon and carriage are too great for the frequent visits that should be made to the markets and shops."¹

This early suburban development serves as a harbinger of the predominant pattern following World War Two and the advancement in roads and widespread automobile ownership. The pattern has persisted into today in Jefferson County where more than sixty-percent of the total population of the County lives outside the current corporate Louisville limits. This District is the only example in the O'Bannon Precinct of neighborhood suburban development.

The period of significance for the Altawood Historic District is 1910 to 1935. In 1910 the land was platted for subdivision by Murray Kice and 1935 marks the closing of operations for the interurban, ending the District's association with that influential mode of transportation. From roughly 1910 through 1930 Louisville Interurban Co. line between Louisville and LaGrange, through O'Bannon Precinct, carried farmers goods to market, businessmen living in the suburbs to work each day, and brought household goods to those living in the new suburbs.²

Altawood Court

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ALTAWOOD HISTORIC DISTRICT

"Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935."

Comparisons were made to several subdivisions in Jefferson County developed in the early twentieth century. Among those suburban neighborhood developments examined were Audubon Park, listed in the National Register in 1996, Harrods Creek (NR 1992) and the Country Estates of River Road (NR 1999). Although begun in the late nineteenth century, several sections of the area generally called "the Highlands" in Louisville saw accelerated development during this period. With Baxter/Bardstown Road as its "spine" the Highlands begins at Broadway and Baxter Avenue and continues to Bardstown Road and Gardiner Lane. Neighborhood development continued in several areas including Deer Park, Bonnycastle, the Cherokee Triangle Belknap, and Tyler Park. Likewise with Crescent Hill east of Louisville (with Frankfort Avenue serving as the main road for the area) many new developments, including sections of Clifton, were subdivided and sold.

Following research and consideration of sources, conclusions were drawn about suburban developments in the early twentieth century around Louisville:

- Most early twentieth century suburban developments were located in close proximity to one of the seven interurban lines spoking from Louisville beginning in 1901.
- The availability of the interurban with a reliable daily schedule made moving outside of the existing infrastructure of the city possible for those employed in the city.
- The subdivision of land surrounding the city of Louisville was made possible by existing landowners offering parcels of land for sale.
- Most early twentieth century suburban developments relied on deed restrictions to control property ownership, and design.

History of the Altawood Historic District

The Altawood Historic District is located approximately 14 miles northeast of Louisville in Jefferson County. Known in the nineteenth century as O'Bannon Precinct, the area was one of nineteen political subdivisions of county government, in accordance with the Kentucky Constitution of 1850.

The first railroad line through eastern Jefferson County was the Louisville and Frankfort Railroad, completed in 1851. The rail line was combined with the Lexington and Frankfort Railroad in the 1860s and became the Louisville, Cincinnati and Lexington Railroad by the late 1860s. The Louisville and Nashville took over the line in 1882 and it is currently operated by CSX. Access to the city from the O'Bannon Precinct had been possible since the 1850s. The train stopped at the station twice or three times per day.

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ALTAWOOD HISTORIC DISTRICT

"Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935."

The developments in the precinct during most of the nineteenth century were large working farms. One early exception was J.A. Shrader who appears on the 1858 Bergman Map of the County. The early map identifies Shrader's 250 acre farm with farmhouse near O'Bannon's Station and the railroad lines. Shrader platted an 80-acre subdivision out of his farm in 1870, recorded in Deed Book 152, Page 640. The plat created nine lots ranging in size from six to nine acres each. None of the roadways drawn on the plat are in evidence today and deed search did not reveal land sales. The 1879 Beers and Lanagan Atlas of the County shows little change from the 1858 map, revealing an undeveloped rural area.

In 1897, Lucy Kice, wife of Murray Kice of the Kice Real Estate company, purchased an approximately 150-acre parcel of land from the Kentucky Title Company. Mr. Shrader had conveyed the land to the Kentucky Title Company in 1896 in payment of the mortgage on the land. Mr. and Mrs. Kice moved their family into the existing house called Altawood Farm (JF483) built by Shrader circa 1879. Mr. Kice maintained an office in Louisville at Fourth and Jefferson where he was a real estate broker. He seems to have relied on the train at O'Bannon Station to access his office.

Beginning in 1901, Seven interurban lines were designed to spoke out across Jefferson County from Louisville. These lines, completed in 1910, followed existing rail lines and often used the existing stops. These interurbans spurred development and often created crossroads communities. The interurban line that ran through O'Bannon Station was begun in 1901 and was called the Louisville, Anchorage, and Pewee Valley Electric Railway. Service was extended to O'Bannon Precinct by 1906. The stop on the interurban became known as Kice Station. The interurban ran from 5:00 am until almost midnight and stopped at the station every half-hour.

By 1910 the US Census continues to record agrarian lifestyles in the O'Bannon Precinct for the one hundred-three families who called it home. Most of the land continued to be held in large parcels for raising livestock and cultivating crops. Farm owner and farm laborer were the predominant occupations listed by male residents of O'Bannon Precinct. There was, however a transition toward other occupations including trades, business owners and professionals, as illustrated by the fact that roughly one-third (including Mr. Kice) were employed in work other than farming. Of that thirty, only Mr. Kice and three other heads of households may also be found in the 1910 city directories. The Census records Mr. Kice, his wife Lucy and their three minor children, Murray, Jr., Hugh and Gertrude as residing at Kice Station near Pee Wee Valley.

Murray Kice, after living at Altawood with his family for 13 years when in 1910 he filed a plat for the Kice subdivision. According to a company profile, he was born in Louisville and familiar with the entire county. Mr. Kice had been making a daily commute himself to Louisville since 1897 first by way of the railroad and by 1906 the interurban line. Mr. and Mrs. Kice platted the entire 150-acre parcel with two subsequent

Altawood Court

Appendix 1

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"Railroad and Interurban-related Development in Jefferson County, Kentucky, 1858 - 1935."

additions to the plat in 1912 and the final subdivision plan for a suburb named Woodbourne was filed by Kice in 1913. (The name "Altawood" for the District first appeared in city directories in 1916. Altawood is the name given to the Shrader House, and later the Kice House, by the 1890s.) Parcels in the District were steadily sold between 1911 and about 1930. Interestingly, By 1913, 40 percent of all male heads of households in O'Bannon Precinct were listed in the city directories as working in Louisville and residing in O'Bannon Precinct.

To sell the lots for his new subdivision, Kice ran an ad in the Courier-Journal in 1913 featuring a "Beautiful New Country Homes... Artistically designed... Highest in elevation - most healthful section of the county...". Health and sanitation had become a key concern to residents of cities in the late nineteenth century and into the twentieth. Tuberculosis was one of the greatest threats in Louisville in the early 1900s when the city experienced an extremely large death toll due to the disease. Waverly Hills Tuberculosis Sanitarium (JF75-76) and the Hazlewood Hospital both treated tuberculosis patients. Popular publications and newspapers carried articles on the health dangers of living in the city, including exposure to polluted air and unclear water sources.³

The development of suburbs along the interurban lines was carried out with many commonalties. Developers instituted exclusionary policies and mandated design requirements and expectations for those qualified buyers. Developers attempted to mandate a sense of design through the use of deed restrictions. Developers, supported by purchasers, were fabricating residential communities by using the formality and legality of the deed to regulate behavior and exclude people representing specific races and/or religious affiliations.

Several restrictions were placed on the deeds to properties in the District, a pattern found across Jefferson County. Audubon Park, developed between 1912 and 1940 by the Audubon Park Realty Company, also placed many deed restrictions on lots in that suburb. The District excluded anyone of African American origin from purchasing land as stated in the deed. This restriction was both legal and widely practiced in Jefferson County throughout the twentieth century prior to passage of Civil Rights laws. No other racial or socioeconomic restrictions were included in the deeds. The subdivision was available to those whites who had the means to purchase lots and construct houses.

Included in the Altawood deed restrictions were mandatory set backs from the road. No construction of fences or outbuildings was allowed in the required setback, but flowers and shrubs could be planted. Some fences have been built in the easements, with several dating to the early development of the subdivision, in violation of deed restrictions. Purchasers were required to begin construction of homes of high quality materials within one year of taking possession of the property.

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From the original plats and deed restrictions it is clear that the Kice's had in mind a pastoral enclave when they platted and began development of the District. Many prominent examples of planned landscapes existed in Jefferson County. The curvilinear drive and wooded lots mirror the many Olmsted and Olmsted firm projects underway in the county. Mr. Kice, a member of the Louisville Commercial Club, and familiar with real estate and its development, was no doubt exposed to Olmsted and other prolific firms during the era including Arthur Cowell, Bryant Fleming and the Harmon Company, designers of Audubon Park. No author has been credited with the landscape architecture of the District.

The year 1935 marked the end of the operation for the interurban in the eastern area of the county, including O'Bannon's Station, thus the end of the stated period of significance. By this time, residents of the District like so many other residents of the county, had begun widespread use of automobiles for individual transportation.

¹The Courier-Journal, November 14, 1902.

²Lee Forst. Old Rail System Linked City to Country. The Voice Newspapers, February 22, 1984, pp. 1-3.

³The Courier-Journal, July 14, 1913.

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PHOTOGRAPHS

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ALTAWOOD HISTORIC DISTRICT
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PHOTOGRAPHS

The following information pertains to all photographs:

PHOTOGRAPHER: Donna M. Neary

DATE: November 25, 2000

NEGATIVE LOCATION: Kentucky Heritage Council

PHOTO 1

Facing North, Railroad tracks, southern boundary of the District

PHOTO 2

Facing Northeast, Altawood Road

PHOTO 3

Facing Northwest, Example of new construction, 3706 Altawood

PHOTO 4

Facing South

PHOTO 5

Facing Northeast, Required setback from road

PHOTO 6

Facing East

PHOTO 7

Facing North, Detail of Altawood Farm Gate, 3920 Altawood

PHOTO 8

Facing Northwest, Entrance gates from LaGrange Road

PHOTO 9

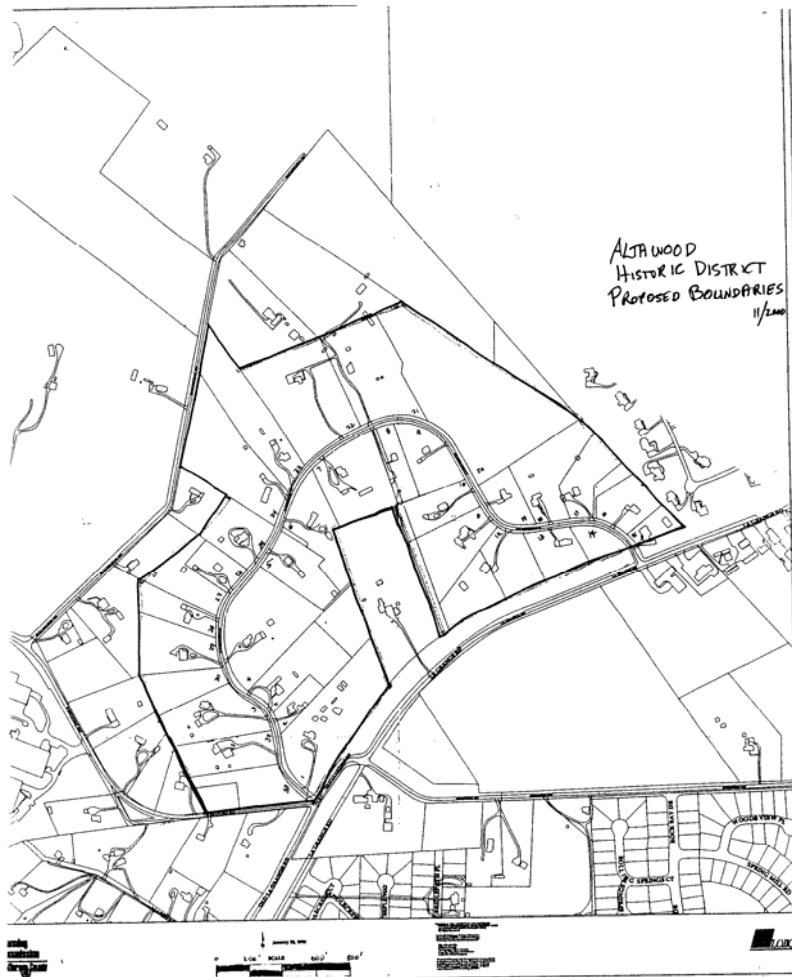
Facing South, Entrance gates from Old LaGrange Road

PHOTO 10

Facing Southwest

Altawood Court

Appendix 1



Part D: Historic Landmarks And Preservation Districts Commission

§ 32.250 PUBLIC PURPOSE.

(A) The Board of Aldermen found in 1973 and this Metro Council does reaffirm that many structures and improvements having a distinctive character or special historic, aesthetic, architectural, or cultural interest or value have been irrevocably altered, modified, demolished, or uprooted notwithstanding the feasibility and desirability of preserving and continuing the use and existence of such structures and improvements. In addition, distinctive or historic neighborhoods, areas, places, and archaeological sites have been and may be similarly uprooted or may have their distinctiveness destroyed, although the preservation thereof may be both feasible and desirable. It is the finding of the Metro Council that the individual nature and character of this metro government cannot be maintained or enhanced by disregarding the historic, aesthetic, architectural, archaeological, or cultural heritage of the Metro Government nor by permitting the destruction of such civic and community assets.

(B) The Metro Council declares as a matter of public policy that the preservation, protection, perpetuation, and use of neighborhoods, areas, places, structures, and improvements having a special or distinctive character or a special historic, aesthetic, architectural, archaeological, or cultural interest or value and which serve as visible reminders of the history and heritage of this Metro Government, commonwealth, or nation is a public necessity and is required in the interest of the health, prosperity, safety, welfare, and economic well-being of the people.

(C) The purpose of this ordinance is to effect the goals as set forth in the above findings and declaration of public policy and specifically, but not exclusively to:

(1) Effect and accomplish the preservation, protection, perpetuation, and use of historic landmarks, landmark sites, prehistoric or historic archaeological sites, and neighborhoods, areas, places, structures, and improvements having a special or distinctive character or a special historic, aesthetic, architectural,

archaeological, or cultural interest or value to this Metro Government, commonwealth, or nation;

(2) Promote the educational, cultural, economic, and general welfare of the people and safeguard the metro government's history and heritage as embodied and reflected in such landmarks, sites, and districts;

(3) Stabilize and improve property values in such districts and in the metro government as a whole and protect citizens' reasonable, consistent expectations as to the future stability and integrity of Districts and the appreciation of property values;

(4) Foster civic pride in the value of notable accomplishments of the past;

(5) Assure that new construction and renovation or alterations to existing structures within historic districts, sites, areas, neighborhoods and places will be compatible with the historic, visual and aesthetic character of such historic district, site, area, neighborhood or place.

(6) Strengthen the economy of the Metro Government;

(7) Protect and enhance the Metro Government's attractions to residents, tourists, and visitors and serve as a support and stimulus to business and industry;

(8) Enhance the visual and aesthetic character, diversity, and interest of the Metro Government; and

(9) Maintain a secure and safe environment in such Districts.

(1999 Lou. Code, § 32.500) (Lou. Ord. No. 44-1997, approved 3-28-1997; Lou. Am. Ord. No. 0079-2002, § 1, approved 6-27-2002) Penalty, see § 32.262

§ 32.251 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICATION. The written request submitted by a property owner in a form determined by the Commission which requests approval pursuant to this Ordinance of a proposed exterior alteration to a structure or property.

CERTIFICATE OF APPROPRIATENESS or CERTIFICATE. That written document issued by the staff or committee certifying that the proposed exterior alteration to a structure or property complies with the guidelines.

COMMISSION. The Historic Landmarks and Preservation Districts Commission established pursuant to § 32.254 of this Ordinance.

COMMITTEE. Any Architectural Review Committee established by the Commission pursuant to this Ordinance.

CONSTRUCTION. The erection, fabrication, assembly or manufacture of the whole or any part of a structure.

CONTRIBUTING STRUCTURE OR PROPERTY. A structure or property that reinforces the visual or physical integrity, historic interpretation, or historic character of a district or local landmark, and which is identified as such by the findings of the Commission at the time of its designation or by findings adopted by a Committee or the Commission based upon a subsequent survey and assessment of the structure(s) or properties(s) in a district or local landmark site, using the criteria for evaluation in § 32.260(E)(1).

DEMOLITION. The destruction of the whole or any part of a structure or the moving of any structure or portion thereof.

DISTRICT. A defined area of the metro government designated as an Historic Preservation District by the Commission and the Metro Council pursuant to this Ordinance or by action prior to the effective date of this Ordinance.

EXTERIOR ALTERATION. Any change to the exterior of a structure or to a property, including demolition and new construction, except those alterations set out in § 32.256(A) of this Ordinance.

GUIDELINES. The distinctive characteristics and the statement of specific principles and standards governing exterior alterations to structures or

properties applicable to each district and to local landmarks which are adopted by the Metro Council pursuant to this Ordinance.

INCOME PRODUCING PROPERTY. A structure or property which is used primarily for the purpose of generating revenue whether through lease, rental, or the operation of a commercial enterprise.

LANDSCAPING. Planting shrubs, flowers, ground covers and other vegetation, decorative edging for walks and planting beds, freestanding sculpture and bird baths, in any yard of a structure or property except designated cultural or natural landscapes; and ground-level patios and fountains in a rear yard, fencing not visible from a primary street, and tree removal in a rear yard; but does not include fences visible from a primary street, retaining walls or significant changes in grading or topography in a front yard.

LOCAL LANDMARK. A structure or property, including prehistoric and historic archaeological sites, designated as a local historic landmark by the Commission as provided in this Ordinance or by action prior to the effective date of this Ordinance.

NEW CONSTRUCTION. The erection of a structure upon a property or the erection of an additional structure adjacent to an existing structure whether attached to or detached from such existing District structure.

ORDINARY REPAIRS. Non-structural reconstruction or renewal of any part of a structure for the purpose of its maintenance.

PROPERTY. Any tract of real property on which no structure is located, including public rights-of-way and designated cultural or natural landscapes.

REASONABLE BENEFICIAL USE. The suitability of a structure for its traditional use or any viable alternative use of the structure.

STAFF. Such person or persons employed by the Metro Government and to whom the responsibilities and powers with respect to districts and local landmarks pursuant to this Ordinance have been delegated.

STRUCTURE. Any man-made object having an attachment to, or location upon, the ground or water.

(1999 Lou. Code, § 32.501) (Lou. Ord. No. 44-1997, approved 3-28-1997; Lou. Am. Ord. No. 0079-2002, § 2, approved 6-27-2002)

§ 32.252 HISTORIC PRESERVATION DISTRICTS.

(A) Pursuant to the ordinances described more particularly in the Tables of Special Ordinances, the following areas have been designated as Historic Preservation Districts and the boundaries and distinctive characteristics of each are described therein:

- (1) West Main Street Preservation District
- (2) Limerick Preservation District
- (3) Old Louisville Preservation District
- (4) Cherokee Triangle Preservation District
- (5) Parkland Commercial Preservation
- (6) Butchertown Historic District
- (7) Clifton Historic District

(B) The boundaries and distinctive characteristics of each District are described in the Commission action or ordinance establishing each District.

(C) Local Historic Landmarks may be designated as provided in this subchapter.

(D) No person shall make any exterior alteration to any structure or property designated a local landmark or to any property or structure located within a district without obtaining a certificate of appropriateness, issued without cost, as provided in this subchapter.

(1999 Lou. Code, § 32.502) (Lou. Ord. No. 44-1997, approved 3-28-1997; Lou. Am. Ord. No. 0079-2002, § 3, approved 6-27-2002; Lou. Metro Am. Ord. No. 71-2005, approved 6-1-2005) Penalty, see § 32.262

§ 32.253 ARCHITECTURAL REVIEW COMMITTEE.

(A) There is established for each District an Architectural Review Committee which shall have the powers and functions within such District as provided herein.

(B) There is established for the structures or properties designated as local landmarks an Architectural Review Committee which shall have the powers and functions with respect to local landmarks as provided herein.

(C) Each Committee shall consist of seven members, one of whom shall be the Director of the Department of Inspections, Permits and Licenses or his or her designee, two members shall be members of the Commission appointed by the Commission Chairperson and four members who shall be appointed by the Commission and approved by the Metro Council. In the case of a Committee established for a district, no fewer than two members shall be owner-residents or tenants within such district, one member shall be a real estate professional and one member shall be an architect and one member shall be the owner of income producing property located within the district. All members shall have a known interest in local landmarks districts preservation. Members appointed by the Commission shall serve at the pleasure of the Commission.

(D) Four members shall constitute a quorum of a Committee and the affirmative vote of three members or a majority of the members present, whichever is greater shall be required for any official action to be taken by the Committee.

(1999 Lou. Code, § 32.503) (Lou. Ord. No. 44-1997, approved 3-28-1997; Lou. Am. Ord. No. 0079-2002, § 4, approved 6-27-2002) Penalty, see § 32.262

§ 32.254 COMMISSION; ESTABLISHMENT AND ORGANIZATION.

(A) There is established the Louisville/Jefferson County Metro Historic Landmarks and Preservation Districts Commission. The Commission shall consist of 13 members, ten of whom shall be appointed by the Mayor subject to the approval of the Metro Council. The remaining members shall be the Director of the Department of Inspections, Permits and Licenses, the Executive Director of the Louisville and Jefferson County Planning Commission, who shall act as Secretary of the

Commission, and a member of the Council appointed by the President of the Council. Of the members to be appointed by the Mayor, at least one shall be an architect, at least one shall be an architect or landscape architect, at least one shall be an historian or architectural historian qualified in the field of historic preservation, at least one shall be a registered professional archaeologist, at least one shall be a real estate broker or a MAI designated real estate appraiser, at least one shall be an attorney, at least one shall be a person who is a member of the Metro Area Chamber of Commerce (Greater Louisville, Inc.) who has recognized expertise in business and all such members shall have a known interest in local landmarks and districts preservation. The terms of appointive members shall extend from December 1 of one year for three years through and until November 30. Members serving on the Commission on the effective date of this Ordinance shall serve for the remainder of the term for which appointed, unless removed earlier and may be reappointed as provided in this Ordinance.

(B) Appointive members may be reappointed for successive terms and each appointive member shall serve until the appointment and qualification of his successor.

(C) The Mayor shall designate one of the members of the Commission to be Chairman and one to be Vice-Chairman.

(D) The members shall serve without compensation. A member of the Commission shall be immediately removed from the Commission if the member has missed three consecutive regular meetings of the Commission, without sufficient excuse accepted by the Commission.

(E) The Commission shall adopt bylaws for the transaction of its business and for the operation of the Committees, shall conduct regular or special meetings as it deems necessary, and shall keep minutes and records of all proceedings, including the number of votes for and against each question. A majority of the total membership of the Commission shall constitute a quorum for the transaction of business. The affirmative vote of a majority of the members present shall be required for any action taken by the Commission. The Commission shall have the power to establish subcommittees as it deems necessary, from both within and without its membership, and to give special recognition to outside groups and organizations.

(F) The Commission shall have such powers and duties as shall be prescribed herein with respect to the establishment, regulation, and promotion of local landmarks and districts and all necessary and implied powers to perform such duties. The Commission, in addition to the appropriations made by the Metro Government, shall have the right to receive, hold, and spend funds which it may legally receive from any and every source both in and out of the state for the purpose of carrying out the provisions of this Ordinance, subject to the requirements of § 20.15.

(G) The Chairman of the Commission shall meet periodically with the chairmen of the Committees for the purpose of coordinating the activities of the Committees and for the purpose of discussing the decisions made by the Committees. One of the meetings shall be in conjunction with an annual meeting of the members of the Commission and all members of the Committees which shall be held each year for the purpose of discussing the activities of the Commission and the Committees and the implementation of this Ordinance.

(1999 Lou. Code, § 32.504) (Lou. Ord. No. 44-1997, approved 3-28-1997; Lou. Ord. No. 0079-2002, § 5, approved 6-27-2002; Lou. Metro Am. Ord. No. 17-2003, approved 2-28-2003) Penalty, see § 32.262

§ 32.255 STAFF POWERS AND RESPONSIBILITIES.

The Metro Government shall delegate to such staff as deemed appropriate responsibility for providing the necessary assistance and support to the Committees and the Commission. The staff shall have the following powers and responsibilities with respect to districts and local landmarks:

(A) Classify all applications in accordance with § 32.256 of this Ordinance as being exempt, or requiring staff review, or requiring committee review.

(B) Coordinate review of applications with the Department of Inspections, Permits and Licenses and other Metro Government departments or agencies.

(C) Review applications requiring staff review and issue certificates of appropriateness therefor.

(D) Provide assistance to the Committees in review of applications requiring committee review.

(E) Provide assistance to applicants.

(F) Provide assistance to the Commission with respect to appeals of applications, designations of districts and local landmarks and with such other matters as may be requested by the Commission.

(1999 Lou. Code, § 32.505) (Lou. Ord. No. 44-1997, approved 3-28-1997; Lou. Ord. No. 0079-2002, § 6, approved 6-27-2002)

(1994 Jeff. Code, § 32.070) (Jeff. Ord. 10-1979, adopted and effective 6-12-1979) Penalty, see § 32.262

§ 32.256 EXTERIOR ALTERATION.

(A) The following activities with respect to a local landmark or to any property or structure located within a district shall not constitute an exterior alteration and shall not require the obtaining of a certificate of appropriateness as provided in this Ordinance.

(1) Ordinary repairs to the exterior of a structure when such work exactly reproduces the existing design and is executed in the existing material;

(2) Installing house numbers, mail boxes, small porch lights, kick plates or door knockers;

(3) Interior alterations which do not cause any exterior alteration;

(4) Painting any material other than masonry and painting any previously painted masonry the same as the existing color or an historically appropriate color in accordance with the guidelines;

(5) Landscaping, tree planting, tree trimming or pruning;

(6) Rear yard improvements not visible from the street at ground level which do not involve alterations to any structure;

(7) Removal of signage without replacement;

(8) Temporary signage or structures where such signage or structure shall be permanently removed within six months;

(9) Emergency repairs ordered by a Building Code enforcement officer in order to protect health and safety.

(B) Any exterior alteration to any local landmark or to any property or structure in a district shall not be commenced by any person without obtaining a certificate of appropriateness as provided in this Ordinance. Applications for certificates of appropriateness for exterior alterations other than those specified in subsection (C) of this section shall be reviewed by the staff as provided in § 32.257 of this Ordinance.

(C) Applications for certificates of appropriateness for the following exterior alterations shall be reviewed by the Committee having jurisdiction as provided in § 32.257 of this Ordinance.

(1) New construction;

(2) Demolition;

(3) Any exterior alteration, the cost of which shall be greater than 25 % of the assessed value of the structure or property; or

(4) Any other application which is determined by the staff to be inappropriate for staff review.

(1999 Lou. Code, § 32.506) (Lou. Ord. No. 44-1997, approved 3-28-1997) Penalty, see § 32.262

§ 32.257 APPLICATION FOR CERTIFICATE OF APPROPRIATENESS.

(A) No department or agency of the Metro Government shall issue any building permit, certificate of occupancy or other permit, license or approval for any exterior alteration to a local landmark or to any property or structure in a district unless a certificate of appropriateness for such exterior alteration has been obtained pursuant to this Ordinance.

(B) An application for a certificate of appropriateness shall be submitted to the Department of Inspections, Permits and Licenses. The application

shall include at least the following information, unless waived pursuant to subsection (C) of this section:

(1) A site plan, drawn to an appropriate scale, photographs or other presentation media showing the proposed exterior alteration in the context of property lines, adjacent structures, streets, sidewalks, and the like.

(2) Plans, elevations and other drawings, drawn to appropriate scale, and a complete description of the materials to be used, as may be necessary to fully explain the exterior alteration.

In addition to the above information, an application for demolition or new construction shall contain information establishing that the property cannot be put to a reasonable beneficial use without the approval of the proposed work or if income-producing property, information establishing that the applicant cannot obtain a reasonable return from the property without the approval of the proposed work.

(C) Applicants may seek review of a proposal prior to making formal application pursuant to subsection (B) of this section at a pre-application conference. At the conference, the staff may discuss with the applicant the proposed exterior alteration and applicable guidelines, and provide information about the district, its goals and objectives, and the review process. The staff, at the request of an applicant, may call a meeting of a subcommittee of the Commission and representatives of appropriate Committee or permitting agencies. At this meeting the applicant can discuss with the subcommittee members his proposed exterior alteration, his concepts, and receive information necessary to submit the application. The staff may agree to waive certain of the requirements set out in subsection (B) of this section if it is determined that such requirements are not necessary for review of the application pursuant to this Ordinance.

(D) Within two working days of receipt of an application determined by staff to be complete, the staff shall classify the application as requiring either staff review or Committee review.

(E) An application classified as requiring staff review shall be reviewed by the staff who shall prepare a written decision supported by a finding of fact based upon the guidelines which shall approve the application, approve the application with

conditions, or deny the application. If the application is approved or approved with conditions, the applicant shall be issued a certificate of appropriateness.

(F) An application classified as requiring committee review shall be reviewed by the committee having jurisdiction. The application shall first be reviewed by the staff to determine if the proposed exterior alterations are in compliance with the guidelines and the application shall then be forwarded to the committee with the staff's written recommendation to either approve the application, approve the application with conditions or to deny the application.

(G) The applicant and the owners of the real property abutting the property or structure which is the subject of the application shall be sent by first class mail, written notice of the date, time and location of the meeting of the committee at which the application shall be considered. The notice shall be sent no later than seven days prior to the date of the meeting. A notice of the pending application shall be placed on the property or on or near the structure which is the subject of the application by the staff at least seven days prior to the date of the meeting.

(H) The meeting of the committee scheduled to review an application shall constitute a public hearing on such application. The staff shall present a written recommendation prepared in accordance with subsection (F) of this section. The applicant shall present to the Committee such information as is relevant to review of the application. Interested parties shall have the right to testify either orally or in writing, subject to the right of the Chairman to limit repetitious testimony and to exclude irrelevant testimony.

(I) The Committee shall make a decision based upon a written finding of fact, which shall approve the application, approve the application with conditions, deny the application, or defer consideration of the application until a later meeting of the Committee. If the application is approved or approved with conditions, the applicant shall be issued a certificate of appropriateness. Any application which fails to obtain at least three votes or the votes of a majority of the members present, whichever is greater, for approval or conditional approval shall be deemed to be denied.

(J) The staff and the Committee shall, in their decision making capacities, each make a written finding of fact based upon the information presented which supports a written conclusion that the application demonstrates or fails to demonstrate that the proposed exterior alteration is in compliance with the guidelines.

(K) Any applicant, whose application is denied by the staff or a committee, may appeal the decision to the Commission. The appeal shall be in writing and shall fully state the reasons why the appeal is sought. An appeal shall be filed by an applicant within 30 days of the date of the decision. Upon the receipt by the staff of a timely appeal, the staff shall schedule a meeting of the Commission to consider the appeal. Notice of the meeting shall be mailed to the applicant and other parties of record, by first class mail, at least seven days prior to the date of the meeting. At the meeting to consider the appeal, the Commission shall review the application and the record of the prior proceedings and, at the discretion of the Chairman, may take additional testimony from the applicant or other interested parties for the purpose of supplementing the existing record or for the introduction of new information. Upon review of the record and any supplemental or new information presented at the meeting, the Commission shall make a written determination that the decision shall be upheld or overturned. A decision denying an application shall be overturned by the Commission only upon the written finding that the staff or Committee was clearly erroneous as to a material finding of fact in concluding that the proposed exterior alteration was not in compliance with the guidelines. When the Commission overturns a denial of an application, it shall approve the application, or approve the application with conditions. Any member of the Commission who voted on the application when it was considered by the Committee shall not vote on the question of whether the decision of the Committee shall be upheld or overturned.

(L) An applicant whose application for demolition or new construction has been denied by the Committee, may request an economic hardship exemption from compliance with one or more of the guidelines which constituted the basis of the denial of the application pursuant to this paragraph. The request for the exemption shall be in writing and shall be filed with the Commission within ten days of the decision of the Committee. The Commission shall review the documentation and evidence presented before the Committee relevant to determining whether the

applicant qualifies for an economic hardship exemption and such relevant evidence presented to it by the applicant or other interested parties. The Commission shall conduct a public hearing on the proposed hardship exemption. Notice of the hearing shall be sent to the applicant and other parties of record, by first class mail, at least seven days prior to the date of the hearing. At the hearing, the Commission shall receive information to supplement the record concerning whether the applicant qualifies for an economic hardship exemption from one or more of the guidelines applicable to the application. The Commission may require the applicant to submit findings from one or more persons determined by the Commission to have expertise in real estate and development who are knowledgeable in real estate economics in general and, more specifically in the economics of renovation, redevelopment and rehabilitation, to review the documentation submitted in accordance with § 32.257(B)(2) and this section. Within 60 days of the first regular Commission meeting after the applicant's request is filed, the Commission shall render a decision either granting or denying the applicant's request for an economic hardship exemption from compliance with one or more of the guidelines. The decision shall be based upon a written findings of fact. The applicant shall have the burden of showing that the application qualifies for an economic hardship exemption. The Commission shall grant an economic hardship exemption only if it finds that the applicant has demonstrated through a preponderance of the evidence that:

(1) With respect to an application involving a non-income producing structure or property, the property or structure cannot be put to any reasonable beneficial use according to the guidelines adopted by the Commission for economic hardship without the approval of the application.

(2) With respect to an application involving an income-producing structure or property, the applicant cannot obtain any reasonable return from the property or structure without the approval of the application.

(M) The Commission shall send a copy of the decision and the findings of fact to the applicant. If the Commission denies the request for the economic hardship exemption, the denial of the application shall be final. If the Commission grants the request for the economic hardship exemption, the Commission, within 30 days of the decision, shall approve the application or approve the application with

conditions and issue a certificate of appropriateness for the proposed exterior alteration. Notwithstanding the hardship exemption, an applicant shall be required to comply with all guidelines applicable to the proposed exterior alteration other than the guidelines to which the hardship exemption applies.

(N) If, after an applicant has obtained a certificate of appropriateness, the proposed work is amended, the applicant shall submit an amended application to the staff who shall make a determination that the amendment has no significant affect or that the application as amended requires additional review. Review of an amended application shall follow the same procedure as provided herein for an original application. Upon a determination by the staff that the amended application requires review, the previously issued certificate of appropriateness may be suspended, at the discretion of the staff, pending the review of the amended application.

(1999 Lou. Code, § 32.507) (Lou. Ord. No. 44-1997, approved 3-28-1997; Lou. Ord. No. 0079-2002, § 7, approved 6-27-2002)

§ 32.258 COMMISSION TO APPROVE GUIDELINES.

(A) The Commission shall approve guidelines governing the review of applications pursuant to this section for each district and for local landmarks.

(1) (a) The Commission shall direct each Committee to establish a guidelines-drafting task force composed of the members of the Committee and owners of real property within a district, or in the case of the Committee having jurisdiction over local landmarks, the owners of such local landmarks and other interested citizens who shall be appointed by the Committee.

(b) The Committee shall conduct no fewer than one public hearing for the purpose of soliciting comments concerning the proposed guidelines. Notice of such hearings shall be advertised in the newspaper in accordance with KRS Chapter 424.

(2) (a) Each Committee shall, by majority vote, recommend guidelines and shall submit the proposed guidelines to the Commission for approval.

(b) The Commission, prior to voting to approve the guidelines, shall conduct at least one public hearing, which it shall advertise in the newspaper, in accordance with KRS Chapter 424.

(3) (a) The Commission shall adopt guidelines governing the review of economic hardship applications. The Commission may appoint a task force to assist it in the drafting of such guidelines.

(b) The Commission, prior to voting to approve the guidelines, shall conduct at least one public hearing, which it shall advertise in the newspaper, in accordance with KRS Chapter 424.

(B) Guidelines approved by the Commission shall be submitted to the Metro Council for review and adoption. The Metro Council shall adopt the proposed guidelines by resolution, or refer the guidelines back to the Commission for revision.

(C) Upon adoption of the guidelines for a district or local landmarks by the Metro Council, all applications for exterior alterations shall be reviewed in accordance with such guidelines.

(D) The Commission shall adopt guidelines governing the investigation, documentation, and preservation of prehistoric and historic archaeological sites including uniform archaeological guidelines adopted by the Commonwealth of Kentucky.

(1999 Lou. Code, § 32.508) (Lou. Ord. No. 44-1997, approved 3-28-1997; Lou. Am. Ord. No. 0079-2002, § 8, approved 6-27-2002; Lou. Metro Am. Ord. No. 71-2005, approved 6-1-2005) Penalty, see § 32.262

§ 32.259 COMPLIANCE WITH CERTIFICATE OF APPROPRIATENESS.

All work performed pursuant to the issuance of a certificate of appropriateness shall conform to the certificate and all conditions imposed thereby. It shall be the duty of the Department of Inspections, Permits and Licenses, or the Department of Public Works, as appropriate, to inspect from time to time any work performed pursuant to the certificate to assure compliance. In the event work is performed not in accordance with the certificate, or without obtaining a certificate as required by this section, the Directors of the Departments of Inspections, Permits and

Licenses, Planning and Design Services or Public Works, or their designated representatives, shall issue a stop work order. No certificate of occupancy shall be issued for any project undertaken without obtaining a certificate of appropriateness unless the work has complied with the conditions established by such certificate of appropriateness.

(1999 Lou. Code, § 32.509) (Lou. Ord. No. 44-1997, approved 3-28-1997; Lou. Metro Am. Ord. No. 71-2005, approved 6-1-2005) Penalty, see § 32.262

§ 32.260 DESIGNATION OF DISTRICTS AND LOCAL LANDMARKS.

(A) Pursuant to this section, the Commission may:

(1) Designate local landmarks, including prehistoric or historic archaeological sites, which shall be identified by a description setting forth the general nature, distinctive characteristics, location and boundaries thereof;

(2) Designate districts which shall be identified by a description setting forth the general nature, distinctive characteristics including contributing structures or properties, location, and boundaries thereof.

(3) Amend any designation made pursuant to the provisions of subsections (1), (2), and (3) of this section.

(B) The Commission may designate an area as a district if it receives a petition requesting such designation, and if the petition contains the verified names and addresses of no fewer than 200 residents of such proposed district, or the verified names and addresses of the owners of at least 50% of the structures or properties within the proposed district, whichever is fewer. The petition shall also contain the following information:

(1) A description of the boundaries of the proposed district; and

(2) A description of the distinctive characteristics of the proposed district.

(C) The Commission may designate a structure or property as a local landmark if it receives a written request of the owner or owners of the structure or

property, or a petition requesting designation containing the verified signatures and addresses of no fewer than 200 residents of Louisville Metro.

(D) When a petition satisfying the requirements of subsection (B) or a request for designation pursuant to subsection (C) is received by the Commission, it shall conduct a study and hold a public hearing to determine if the proposed district should be established, or the structure or property designated a local landmark. A description of the proposed district or local landmark shall be published in the newspaper in accordance with KRS Chapter 424 no less than twice. In addition, if the request is for designation of a district, a copy of the proposed district description and the notice of the hearing shall be mailed, by first class mail, to all property owners within the proposed district.

(E) After the public hearing, the Commission shall vote on the question of the establishment of the district or designation of the local landmark.

(1) In considering the designation of any neighborhood, area, property or structure in Louisville Metro as a local landmark, or district, the Commission shall apply the following criteria with respect to such structure, property or district:

(a) Its character, interest, or value as part of the development or heritage of Louisville Metro, Jefferson County, the Commonwealth, or the United States.

(b) Its exemplification of the historic, aesthetic, architectural, prehistoric or historic archaeological, educational, economic, or cultural heritage of Louisville Metro, Jefferson County, the Commonwealth, or the nation.

(c) Its location as a site of a significant historic event.

(d) Its identification with a person or persons who significantly contributed to the culture and development of Louisville Metro, Jefferson County, the Commonwealth, or the nation.

(e) Its embodiment of distinguishing characteristics of an architectural type or specimen.

(f) Its identification as the work of an architect, landscape architect, or master builder whose individual work has influenced the development of Louisville Metro, Jefferson County, the Commonwealth, or the nation.

(g) Its embodiment of elements or architectural design, detail, materials, or craftsmanship which represents a significant architectural innovation.

(h) Its relationship to other distinctive areas which are eligible for preservation according to a plan based on an historic, cultural, or architectural motif.

(i) Its location or physical characteristics representing an established and familiar visual feature or which reinforce the physical continuity of a neighborhood, area, or place within Louisville Metro.

(F) If the Commission designates a local landmark or district, it shall within three days of the meeting at which the designation was approved, forward a copy of the designation to the Metro Council.

(G) The designation of a local landmark shall be effective as of the date the designation is approved by the Commission and all provisions of this subchapter shall apply to such local landmark as of that date.

(H) No designation of a district shall be effective until ratified by ordinance enacted by the Metro Council. Within 60 days of such ratification, the Commission shall appoint a Committee for the new district and the Committee shall approve guidelines for the new district in accordance with the procedures established in this section. The Commission shall adopt interim guidelines for the district which shall apply until the guidelines are adopted and approved for the district as provided in this section. The provisions of this subchapter shall apply to all exterior alterations to structures or properties within the new district 30 days after the Metro Council enacts an ordinance establishing the new district.

(1999 Lou. Code, § 32.510) (Lou. Ord. No. 44-1997, approved 3-28-1997; Lou. Am. Ord. No. 0079-2002, § 9, approved 6-27-2002; Lou. Metro Am. Ord. No. 71-2005, approved 6-1-2005)

§ 32.261 COMMISSION POWERS.

In addition to such other powers, duties, and authority as are set forth in this subchapter, the Commission may:

(A) Establish an appropriate system of markers for selected local landmarks and districts, including various improvements therein;

(B) Encourage and undertake where necessary the publication of uniform and complementary maps, brochures, and descriptive material about such local landmarks and districts;

(C) Cooperate with and advise the Metro Council, the Planning Commission, and other agencies and departments with regard to such matters as may be appropriate with respect to local landmarks and districts.

(D) Cooperate with and enlist assistance from the National Park Service, the National Trust for Historic Preservation, the Kentucky Heritage Council, and other federal, state, and local agencies active in the field of historic and cultural preservation;

(E) Advise owners of local landmarks and properties and structures within districts on the benefits and problems of preservation;

(F) Promote public interest in the purposes of this subchapter;

(G) Review at its meetings major historic preservation questions that are under discussion in Louisville Metro and define the significant issues which need to be addressed in reaching decisions on these questions;

(H) Prepare an annual report for the Mayor and the Metro Council on the status of historic preservation in Louisville Metro, evaluating activities during the year and making suggestions for the future;

(I) Maintain and keep current with new information the survey of neighborhoods, areas, places, structures and improvements within Louisville Metro for the purpose of determining those of a distinctive character or special historic, aesthetic, architectural, archaeological or cultural value and of compiling appropriate descriptions, facts and lists;

(J) Develop a preservation plan creating a framework of expectations that are commonly agreed upon and clearly expressed regarding the preservation of the structures within each district. The Commission may prepare or cause to be prepared a preservation plan under which a district, structures, or properties are preserved in a manner to effectuate the purposes of this subchapter, and are capable of providing a reasonable economic return. The preservation plan may identify applicable federal, state or Metro Government financial incentives and provide authority for alteration or construction not inconsistent with the purposes of this subchapter and other actions allowable by law. In order to facilitate the planning effort, the Commission may request the Metro Council to impose a moratorium on the issuance of permits by the Metro Government in a district, area of a proposed district or portions thereof for up to six months during the preparation of the preservation plan; and

(K) Undertake such other activities or programs which further the purposes of this subchapter.

(1999 Lou. Code, § 32.511) (Lou. Ord. No. 44-1997, approved 3-28-1997; Lou. Am. Ord. No. 0079-2002, § 10, approved 6-27-2002; Lou. Metro Am. Ord. No. 71-2005, approved 6-1-2005)

§ 32.262 PENALTY.

(A) A person who violates any provision of this subchapter shall be subject to civil penalties of not less than \$100 nor more than \$1,000. Each day a violation continues after due notice has been served of the violation shall constitute a separate offense.

(B) The Metro Government shall possess a lien on the property of the person committing the violation for all fines, penalties, charges and fees imposed pursuant to subsection (A), above. The lien shall be superior to and have priority over all other subsequent liens on the property except state, county, School Board and Metro Government taxes.

(C) Civil penalties imposed for violations of this subchapter shall be enforced pursuant to §§ 32.275 through 32.291.

(1999 Lou. Code, § 32.999) (Lou. Ord. No. 58-1973, approved 4-27-1973; Lou. Am. Ord. No. 203-1998, approved 9-14-1998; Lou. Metro Am. Ord. No. 71-2005, approved 6-1-2005)

Part E. Residential Dimensional Standards

LDC

**Chapter 5 Part 3
 Suburban Form Districts**

Table 5.3.1 Dimensional Standards: Residential Development

Zoning District	Minimum Lot Area	Min. Lot Width	Min. Front and Street Side Yard Setback	Minimum Side Yards (Each)	Minimum Rear Yard Setback	Maximum Building Height
RR	5 Acres	150 ft	30 ft	15 ft	50 ft	35 ft
RE*	105,000 sf	150 ft	90 ft (front); 60 ft (street side)	20 ft minimum, 50 ft total	50 ft	35 ft
R-E, R-1	40,000 sf	150 ft	75 ft (front); 25 ft (street side)	15 ft minimum, 45 ft total	25 ft.	35 ft
R-2	20,000 sf	100 ft	30 ft	10 ft minimum, 30 ft total	25 ft.	35 ft
R-3	12,000 sf	75 ft	30 ft	7.5 ft minimum, 22.5 total	25 ft.	35 ft
R-4	9,000 sf	60 ft	30 ft	**	25 ft.	35 ft

Part F. Potential units on Existing lots.

Lot Size	Acreage	R-1 units	R-2 units	R-4 units
2994.8	0.1	1	1	1
11194.5	0.3	1	1	1
14434.7	0.3	1	1	1
14685.2	0.3	1	1	1
19831.9	0.5	1	1	2
34333.3	0.8	1	1	3
35007.0	0.8	1	1	3
41442.2	1.0	1	2	4
43934.4	1.0	1	2	4
44703.2	1.0	1	2	4
52215.7	1.2	1	2	5
56595.2	1.3	1	2	6
61772.9	1.4	1	3	6
64506.1	1.5	1	3	7
75447.4	1.7	1	3	8
75776.8	1.7	1	3	8
77485.4	1.8	1	3	8
78560.1	1.8	1	3	8
82929.2	1.9	2	4	9
84733.6	1.9	2	4	9
85340.1	2.0	2	4	9
86582.8	2.0	2	4	9
104695.3	2.4	2	5	11
107677.7	2.5	2	5	11
108108.7	2.5	2	5	12
108212.0	2.5	2	5	12
111703.5	2.6	2	5	12
115069.1	2.6	2	5	12

Lot Size	Acreage	R-1 units	R-2 units	R-4 units
125257.4	2.9	3	6	13
125461.9	2.9	3	6	13
130127.0	3.0	3	6	14
134285.1	3.1	3	6	14
139965.3	3.2	3	6	15
148405.7	3.4	3	7	16
153647.8	3.5	3	7	17
159729.0	3.7	3	7	17
164557.0	3.8	4	8	18
177157.5	4.1	4	8	19
182126.8	4.2	4	9	20
203340.7	4.7	5	10	22
205372.9	4.7	5	10	22
231623.9	5.3	5	11	25
244371.5	5.6	6	12	27
247269.1	5.7	6	12	27
249959.3	5.7	6	12	27
265411.2	6.1	6	13	29
288005.9	6.6	7	14	32
373317.2	8.6	9	18	41
922215.8	21.2	23	46	102
6671580.6	153.2	151	313	712

Part G. Suburban Workplace Form District

5.3.4 Suburban Workplace Form District

A. The Suburban Workplace Form District (SWFD) is designed to reserve land for large-scale industrial and employment uses in suburban locations. District standards are designed to ensure compatibility with adjacent form districts, to buffer heavy industrial uses from potentially incompatible uses, to ensure adequate access for employees, freight, and products, to provide services and amenities for employees, and to improve transit service.

The SWFD standards do not address permitted land uses and density or intensity of development. These aspects of land use planning are more appropriately addressed through zoning district regulations or regulatory goals, and objectives and policies of the Comprehensive Plan.

b. RELATIONSHIP TO THE COMPREHENSIVE PLAN

The SWFD implements the following Cornerstone 2020 Comprehensive Plan Goals and Objectives:

Goals	Objectives	Plan Elements
Community Form Goals G1, G2, G3, G4	Community Objectives G1.1, G2.1, G2.2, G2.3, G2.4, G2.5, G3.1, G3.2, G3.3, G4.1, G4.2, G4.3, G4.4	Form Guidelines 1, 3, 6, 7

C. Intent and Applicability

The provisions of this section are intended to promote high quality design and a more visually attractive environment in the SWFD, accommodating relatively large volumes of traffic while providing for alternative travel modes. Standards are included to promote:

1. Adequate access for employees, freight, and products;
2. Alternative modes of travel;
3. High quality design of individual and integrated sites;
4. A wide range of employee-serving commercial businesses (e.g., day care centers, auto servicing, cleaners, restaurants, etc.); and
5. A mix of uses (e.g., industrial, office, and commercial) within a principal building on the site.

D. Dimensional Requirements

1. Lot Size, Depth, and Width – There are no minimum lot size, depth, and width requirements in the SWFD, except as specified in paragraph 2., below.

2. Residential Lots and Building Setbacks – Residential lots shall comply with the size and width requirements and residential structures (both principal and accessory structures, new construction and expansion) shall comply with the setback requirements established in the Neighborhood Form District Standards (Section 5.3.1).

3. Non-Residential Building Setbacks

a. Front and Street-Side Setback – Twenty-five feet along all frontage on public streets and private access easements providing primary access. Greater setbacks necessary to comply with applicable parkway or other buffer requirements set forth in Chapter 10 (Landscaping, Buffering, and Open Space) shall supersede these setback requirements. Off-street parking, maneuvering for parking areas, drive-ways, and sidewalks shall be permitted within the 25 foot setback as long as all landscaping requirements of Chapter 10 Part 2 are met

- b. Side Yard – None.
- c. Rear Yard – None.
- d. Adjacent to Residential – Refer to Chapter 5 Part 5.

NOTE: *Maximum height within 200 feet of a Neighborhood form would be 45 feet.*

4. Building Height

a. The maximum permitted height is 50 feet; however, additional height may be added provided that the building is stepped back one foot on all sides for each additional four feet of building height. Refer to Chapter 5 Part 7 for permissible heights in form district transition zones.

b. Multiple Principal Structures Setbacks – Common wall construction is permissible. Principal structures on the same or adjacent lots constructed as detached buildings shall maintain the following minimum separations:

- i. Building wall has primary entrance or exit – 25 feet
- ii. Building wall has secondary entrance or exit – 20 feet
- iii. Building wall has no entrance or exit – 10 feet

Suburban Workplace Threshold Table

The following parts of chapter 5 shall apply to all developments meeting the thresholds and applicability requirements set forth in Table 5.3.6 below.

Expansion of existing and creation of new residential structures or units, and creation of residential lots shall be subject to the standards of the Neighborhood Form District (Section 5.3.1)

SWFD Table 5.3.6 Thresholds	Part 5 Non-residential	Part 6 Building Design	Part 7 Transition	Part 8 Street and	Part 9 Transit and	Part 10 Traffic Impacts	Part 12 Special Design Requirement
Category 2							
Accessory Structure: New or Expansion	X						
Construction of building footprint less than 3,000 square feet	X						
Construction of 50 or more off-street parking spaces	X			X	X		
Construction of building footprint	X	X	X	X	X	X	

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between 3,000 - 75,000 square feet							
Category 3							
Construction of building footprint greater than 75,000 square feet	X	X	X	X	X	X	X
Projected traffic generation exceeding 200 trip-ends per peak hour						X	
Creation of more than five lots				X	X		

Part H. LDC Chapter 2 Part 8 Planned Development District

2.8.1 Planned Development (PD) District

A. Intent.

The intent of the PD District is to promote diversity and integration of uses and structures in a planned development through flexible design standards that:

Create new development that is livable, diverse, and sustainable;

Promote efficient and economic uses of land;

Respect and reinforce existing communities, integrating new development with existing development to ensure compatibility;

Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;

Promote development patterns and land uses which reduce transportation needs and which conserve energy and natural resources;

Lower development and building costs by permitting smaller networks of utilities and streets and the use of shared facilities;

Protect and enhance natural resources;

Promote the development of land that is consistent with the applicable form district; and

Encourage a variety of compatible architectural styles, building forms, and building relationships within a planned development.

The PD District implements the following provisions of Cornerstone 2020:

Goals

Plan
Elements

Community Form	Guideline
<p>Strategy: A1, A2, A3, B1, B2, B3, B4, C1, C2, C3, C4, D1, D2, D3, D4, E1, E2, E3, E4, F1, F2, F3, F4, G1, G2, G3, G4, H1, H2, H3, H4, K4</p> <p>Mobility Strategy: A1, F1, H1, H3, I1, I2, I3, I5, I7</p> <p>Marketplace Strategy: A1, D1, D2</p>	<p>s 1, 2, 3, 6, 7, 9</p>

2.8.2 Establishment of Planned Development Districts

The following Planned Development Districts may be created in the respective form districts as set forth below:

Table 2.8.1

Form District	Planned Development District	Minimum Size
Neighborhood Form District	Neighborhood	50 acres
	Neighborhood Activity Center	10 acres
Village Form District	Village Outlying	50 acres
	Village Center	10 acres
Downtown Form District	Downtown	2 acres
Traditional Neighborhood Form District	Traditional Neighborhood	2 acres
	Traditional Neighborhood Activity Center	2 acres
Town Center Form District	Town Center	2 acres
Regional Center Form District	Regional Center	50 acres
Traditional Workplace Form District	Traditional Workplace	2 acres
Suburban Workplace Form District	Suburban Workplace	50 acres
Campus Form District	Campus	50 acres

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A zoning change application, and review and approval in accordance with KRS Chapter 100 are required for any designation as a Planned Development District. The pattern of development of any proposed Planned Development District shall be consistent with the pattern of the applicable form district.

2.8.3 Permitted Uses, Limited Uses and Intensity by Planned Development District

Table 2.8.2

Planned Development District	Permitted Uses	Limited Uses	Maximum Floor Area Ratio	Density (d.u./ac.)
Neighborhood	R-5		ADI reduced lots 1.5 All other lots 0.5	7.26
		R-5A Uses Listed as Conditional in R-5	0.5	12.01
Neighborhood Activity Center	C-N		0.5	17.42
		C-2 Uses Listed as Conditional in C-N	5.0	0 BR – 435 du/ac 1BR – 217 du/ac 2 BR – 145 du/ac
Village Outlying	R-4		ADI reduced lots 1.5 All other lots 0.5	4.84
		R-5A	0.5	12.01

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		Uses Listed as Conditional in R-4		
Village Center	C-N		0.5	17.42
		C-2 Uses Listed as Conditional in C-2	5.0	0 BR – 435 du/ac 1BR – 217 du/ac 2 BR – 145 du/ac
Traditional Neighborhood	UN		0.75	1 dwelling unit per lot
		R-7 Uses Listed as Conditional In UN	1.0	34.8

Table 2.8.2 cont'd.

Planned Development District	Permitted Uses	Limited Uses	Maximum Floor Area Ratio	Density
Traditional Neighborhood Activity Center	C-N		0.5	17.42
		C-2 Uses Listed as Conditional In C-N	5.0	0 BR – 435 du/ac 1BR – 217 du/ac 2 BR – 145 du/ac
Town Center	C-1		1.0	34.84
		C-2 Uses Listed as Conditional in C-1	5.0	0 BR – 435 du/ac 1BR – 217 du/ac 2 BR – 145 du/ac
Regional Center	C-1		1.0	34.84
		C-2 Uses Listed as Conditional in C-1	5.0	0 BR – 435 du/ac 1BR – 217 du/ac 2 BR – 145 du/ac

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Traditional Workplace	M-1		2.0	None
	OR-3		4.0	0 BR – 435 du/ac 1BR – 217 du/ac 2 BR – 145 du/ac
		M-2 Uses Listed as conditional in OR-3	3.0	None
		C-2	5.0	0 BR – 435 du/ac 1BR – 217 du/ac 2 BR – 145 du/ac

Table 2.8.2 Cont'd.

Planned Development District	Permitted Uses	Limited Uses	Maximum Floor Area Ratio	Density
Suburban Workplace	M-1		2.0	None
		M-2 Uses Listed as Conditional in M-1	3.0	None
	OR-3		4.0	0 BR – 435 du/ac 1BR – 217 du/ac 2 BR – 145 du/ac
		C-2 Uses Listed as Conditional in OR-3	5.0	0 BR – 435 du/ac 1BR – 217 du/ac 2 BR – 145 du/ac
Campus	OR-3		4.0	0 BR – 435 du/ac 1BR – 217 du/ac 2 BR – 145 du/ac
		C-2 Uses Listed as	5.0	0 BR – 435 du/ac 1BR – 217 du/ac

		Conditional in OR-3		2 BR – 145 du/ac
		R-5A	0.5	12.01
		R-5	ADI reduced lots 1.5 All other lots 0.5	7.26

2.8.4 Limited Use Approval

As listed within Table 2.8.2, certain uses are listed as 'Limited'. Limited uses refers to those uses that require a recommendation from the Planning Commission and must be specifically approved by the appropriate legislative body as part of the PD-Concept Plan or Master Plan. This 'Limited Use' list shall be reviewed at the time of the Master Plan or PD-Concept Plan review. The approval of 'Limited' uses shall be incorporated into the binding elements of the rezoning case.

2.8.5 Applicability of Land Development Code (LDC)

PD-Concept Plan Option. The provisions of the LDC shall apply to Planned Development Districts approved in conjunction with a PD-Concept Plan. The PD-Concept Plan may contain provisions that are more restrictive than the LDC, but in no case may the PD-Concept Plan contain provisions that are less restrictive.

Master Plan Option. The provisions of the LDC shall apply to Planned Development Districts approved in conjunction with a Master Plan, unless otherwise specified in the approved Master Plan. The Master Plan approved by the legislative body may contain provisions that differ with or are less restrictive than the LDC.

EXCEPTION: Perimeter landscape buffer requirements at the edges of the Planned Development District may not be less restrictive than the requirements of the LDC, and may be altered on a case-by-case basis only in accordance with LDC waiver provisions.

In the event of a conflict between the provisions of this Chapter 2 Part 8 or the approved Master Plan and the provisions of the LDC, the provisions of this Chapter 2 Part 8 or the approved Master Plan shall prevail.

D. Specific dimensional requirements of the Planned Development District shall be determined by applying the dimensional requirements associated with the zoning district identified in the list of permitted uses and limited uses for each Planned Development District in Table 2.8.2.

Application Requirements

An application to amend the zoning map to a Planned Development District may be initiated by the legislative body having zoning authority over the subject property, the Planning Commission, or the owner(s) of the subject property. Regardless of the origin of the proposed amendment, it shall be referred to the Planning Commission for a hearing and recommendation before adoption by the affected legislative body pursuant to KRS Chapter 100. Binding elements may be added by the Planning Commission or Legislative Body to any PD-Concept Plan, Master Plan or Detailed Plan.

Prior to filing an application to amend the zoning map to a Planned Development District, a public charrette shall be held by the applicant or his/her agent, with written notification at least 14 days prior to the first day of the charrette to the Planning Commission staff, owners of surrounding property within 200 feet of the proposed development site, and any persons, agencies or organizations the applicant and Planning Staff deems appropriate. A public charrette is a method of planning which is specifically organized to encourage the participation of everyone who is interested in the making of a development or plan, whether they represent the interests of the general public, public agencies, or a client. Charrettes are intensive planning sessions in which: 1) all those influential to the project develop a vested interest in the design and support its vision; 2) a group of design disciplines work in a complementary fashion to produce a set of finished documents that address all aspects of design; 3) this collective effort organizes the input of all players at one meeting and eliminates the need for prolonged discussions that typically delay planning projects; and 4) a better product is produced more efficiently and more cost effectively because of this collaborative process. At the end of the charrette, the plan and supporting documents are presented to the public. A summary of input from the charrette must be submitted to the Planning Commission with the zone change application. The public charrette requirement shall not apply in cases of rezonings initiated by the Planning Commission or any legislative body.

PD -Concept Plan Option:

1. Applications to amend the zoning map to a Planned Development District may be accompanied by a PD-Concept Plan. A PD-Concept Plan shall be approved by the legislative body at the time the rezoning to the Planned Development District is approved. Once approved,

all development within the Planned Development shall conform to the PD-Concept Plan. All changes to the approved PD-Concept Plan shall require a hearing before the Planning Commission and final review and approval by the legislative body.

Contents of PD-Concept Plan.

The PD-Concept Plan shall include a list of uses permitted within the Planned Development District and the distribution of uses over the subject property, *i.e.* the specific locations on the subject site at which particular uses are permitted. The PD-Concept Plan may also designate limited uses, which may be permitted at specific locations only if approved by the legislative body.

The PD-Concept Plan may also include provisions above and beyond the requirements of the LDC pertaining to site and building design, parking, signs, landscaping, density, floor area ratio, pedestrian and roadway interconnections between adjacent properties within the Planned Development District, and any other provisions considered appropriate by the Planning Commission or legislative body.

Detailed Development Plan Requirement.

Prior to the development or redevelopment of any property within a Planned Development District approved with a PD-Concept Plan, a Detailed Development Plan demonstrating compliance with the PD-Concept Plan and other applicable regulations shall be approved by the Planning Commission or designated committee thereof. The Detailed Development Plan shall include all information required for such a plan set forth in LDC Section 11.4.4.B.

Notice of the meeting at which the Commission or Committee will consider the proposed detailed plan shall be given to adjoining property owners not less than ten (10) calendar days prior to the meeting. In addition, staff shall endeavor to give notice to all neighborhood groups who have registered to receive notice of development applications in the area of the subject property.

Amendments to the PD-Concept Plan.

Requests to amend an approved PD-Concept Plan may be made by the Planning Commission, the legislative body with zoning authority, or the owner(s) of property within the Planned Development District. Amendments to an approved PD-Concept Plan may be approved only by the legislative body with zoning authority, following the same procedure as the initial approval of the Planned Development District and Concept Plan.

Master Plan Option:

1. Applications to amend the zoning map to a Planned Development District may be accompanied by a Master Plan, as an alternative to a Concept Plan. The Master Plan shall be approved by the legislative body at the time the rezoning to the Planned Development District is approved. Once approved, all development within the Planned Development shall conform to the approved Master Plan.

2. Contents of Master Plan.

a. The Master Development Plan shall include all information as required for a detailed district development plan as listed in Section 11.4.4.B. In addition to these requirements the Master Plan shall also include the following:

Mixture of uses on the property as in conformance with Table 2.8.2 and approved Limited Uses. All proposed structures (primary and accessory) shall be shown on the development plan. The development plan shall provide information on locations of entrances and orientation of facades to public streets and residential areas. The entrances and orientation of structures shall conform to the standards of the applicable form district.

Required landscape buffers and tree canopy.

Parking requirements.

Locations of all freestanding signage including directional signs.

If subject to review as a major subdivision, all required elements of a preliminary subdivision plan as required by Chapter 7 of the LDC.

All road improvements required by Metro Public Works and/or the Kentucky Transportation Cabinet.

All applicable requirements of Chapter 5 of the LDC (except for those requirements specifically listed under the section related to the Master Plan Design Guidelines.

All information required in Chapter 4 of the LDC related to environmental constraints.

The phasing of development shall be labeled on the development plan.

Any additional provisions considered appropriate by the Planning Commission or legislative body.

b. The Master Plan Design Guidelines document shall include the following standards:

All architectural design guidelines and renderings as required by the LDC and the Planning Commission. All structures shall be designed to be consistent in style and character.

Streetscape Plan: if a streetscape plan is required by the Planning Commission as part of the zoning change review the plan shall be developed in accordance with the Streetscape Master Plan manual (if a manual is not available the applicant shall provide sufficient detail to the satisfaction of the Planning Commission).

Design and renderings of all required focal points, outdoor amenity areas, and open space as required by the LDC or the Planning Commission.

Detailed cross-sections of proposed landscape buffer areas.

A Mobility Plan, which shall include detailed information related to movement of traffic on the site, including truck routes. The mobility plan shall emphasize movement of pedestrian and bicycle traffic on-site. Provisions shall be made to address safe pedestrian and bicycle intersection crossings and movement through parking facilities.

A Unified Sign Plan, which shall include styles, sizes and materials of signage throughout the development. All freestanding signage shall be consistent in character.

vii. Other design standards deemed necessary by the Planning Commission or legislative body.

3. Detailed Development Plan Requirement.

Prior to the development or redevelopment of any property within a Planned Development District approved with a Master Plan, a Detailed Development Plan demonstrating compliance with the Master Plan and other applicable regulations shall be approved by Director or designee. The Detailed Development Plan shall include all information required for such a plan set forth in LDC Section 11.4.4.B.

4. Amendments to the Master Plan.

Requests to amend an approved Master Plan may be made by the Planning Commission, the legislative body with zoning authority, or the owner(s) of property within the Planned Development District. Amendments to an approved Master Plan may be approved only by the legislative

body with zoning authority, following the same procedure as the initial approval of the Planned Development District and Master Plan, except that a public charrette shall not be required.